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Letter dated 24 July 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 18 July 2011 addressed to the Secretary-General from His Excellency Ahmad bin Abdullah Al Mahmoud, Minister of State for Foreign Affairs, Member of the Cabinet of the State of Qatar (see annex), and its enclosures:

(a) Agreement between Sudan and the Liberation and Justice Movement signed on 14 July 2011 in Doha for the adoption of the Doha Document for Peace in Darfur, which was endorsed by the All Darfur Stakeholders Conference held from 27 to 31 May 2011 in Doha, as the basis for final settlement of the Darfur conflict;

(b) Doha Document for Peace in Darfur.

I should be grateful if you would circulate the present letter and its annex as a document of the General Assembly, under agenda item 33, and of the Security Council.

(*Signed*) Tariq Ali F. **Al-Ansari**
Chargé d'affaires a.i.

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Annex to the letter dated 24 July 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the Secretary-General

[Original: Arabic]

I would like to reiterate our thanks and appreciation to you for your continued support to the Doha Darfur Peace Process. We also extend our deep gratitude to you for welcoming the signing of an agreement between the Government of the Republic of the Sudan and the Liberation and Justice Movement on 14 July 2011, in Doha, for the adoption of the Doha Document for Peace in Darfur, endorsed by the All Darfur Stakeholders Conference, held in Doha from 27 to 31 May 2011, as the basis for a final settlement of the Darfur conflict.

Hence, it is my pleasure to enclose herewith the above-mentioned agreement in both Arabic and English, with the Arabic and English versions of the Doha Document for Peace in Darfur attached thereto.

I should be grateful if you would circulate the present letter and its enclosures as a document of the General Assembly, and of the Security Council.

(*Signed*) Ahmed bin Abdullah Al Mahmoud
Minister of State for Foreign Affairs
and Member of the Cabinet

Enclosure

[Original: Arabic and English]

In the Name of Allah, Most Gracious, Most Merciful

AGREEMENT BETWEEN THE GOVERNMENT OF THE SUDAN AND THE LIBERATION AND JUSTICE MOVEMENT FOR THE ADOPTION OF THE DOHA DOCUMENT FOR PEACE IN DARFUR

The Government of The Sudan (GoS) and the Liberation and Justice Movement (LJM), hereinafter referred to as "the Parties";

Referring to the Doha Darfur Peace Document (DDPD), as the outcome of an endeavor, for which the Parties to the negotiations, the Sudanese people in general, and the People of Darfur in particular, have persistently and diligently exerted their utmost efforts with a view to achieving just, durable, and comprehensive negotiated peace;

Expressing their commitment to the Interim National Constitution of The Sudan and the principles enshrined therein;

Expressing their full conviction that the DDPD is the basis for the settlement of the conflict in Darfur;

Affirming their commitment to a durable peaceful settlement on the basis of the DDPD, and to promote and protect human rights and fundamental freedoms;

Reaffirming their profound commitment to achieving peace, security, and development in Darfur; and **recognizing that** the Darfur conflict cannot be resolved militarily but only by a peaceful and inclusive political settlement;

Expressing their full conviction that this agreement augurs well for the realization of the purposes and principles of United Nations Charter related to the maintenance of international peace and security;

Referring to the commitments of the international community towards the support and the consolidation of peace in Darfur;

Stressing the value and importance of the broad assistance and contribution of the African Union-United Nations Joint Mediation and the international partners;

Welcoming the support for the DDPD by the United Nations Secretary-General, the United Nations Security Council, the African Union, the League of Arab States, the Organization of Islamic Cooperation, the European Union and the international peace partners;

Affirming that the DDPD is the outcome of the wide participation of the people of Darfur and their representatives through the Doha Civil Society, IDPs and Refugees Consultative Forums I & II in November 2009 and July 2010, respectively, and the All Darfur Stakeholders Conference in May 2011, as well as the consultations that took place within Sudan, and particularly in Darfur;

Confirming that the DDPD addresses the concerns of the people of Darfur, and the root causes of the conflict and its consequences, and lays solid foundations for recovery, reconstruction and development in Darfur;

Noting that the DDPD provides the opportunity for the armed Movements, which have participated in the Doha peace process to join in realization of and commitment to the principle of inclusiveness;

Reiterating their commitment and resolve to fully implement the DDPD, and welcoming, in this connection, the establishment of the Implementation Follow-up Commission (IFC);

Calling upon the international community to firmly support the implementation of the DDPD, and to provide the necessary resources and expertise for this purpose;

Expressing their deep appreciation and gratitude to the State of Qatar under the leadership of His Highness, Sheikh Hamad Bin Khalifa Al-Thani, Emir of the State of Qatar for the critical role of facilitating the Doha peace process;

Have agreed to the following:

Article 1: The parties adopt the DDPD and all its annexes, which constitute an integral part thereof, namely the implementation modalities and timelines and the Protocol on the participation of the Liberation and Justice Movement at the different levels of power and the arrangements to integrate its forces through the disarmament, demobilization, and reintegration process, as initialed by the two Parties and by the Mediation.

Article 2: The Parties undertake to implement each and every provision in the DDPD and all its annexes as referred to in article 1 above.

Article 3: The Parties agree to settle any dispute or disagreement that may arise from the interpretation or the implementation of the present Agreement peacefully through dialogue, mutual understanding and direct negotiations. In case the Parties fail to agree, the matter shall be referred to the Constitutional Court, whose decision shall be binding.

Article 4: This Agreement shall enter into force upon its signing by the Parties.

Article 5: In witness whereof the duly authorized representatives of the Parties have initiated the DDPD as attached and as the basis to this agreement, and signed this Agreement, in the presence of the witnesses hereunder.

Done in Doha, this 13th of Sha'baan, 1432 Hijri, being the 14th of July, 2011 A.D., in two original texts in the Arabic and English languages, both texts being equally authentic. In case of discrepancies between the versions, the Arabic version shall prevail.

For the Government of The Republic of The Sudan (GoS)

Dr. Ghazi Salahuddin Atabani
Advisor to the President of the Republic

For the Liberation and Justice Movement

(LJM)

Dr. Eltigani Seisi Mohamed Ateem
Chairman of the Liberation and Justice Movement

Witnessed by:

For the State of Qatar

H.E. Ahmed bin Abdulla Al-Mahmoud
Minister of State for Foreign Affairs and Member of the Cabinet

For the African Union and the United Nations

Prof. Ibrahim Gambari
Joint Special Representative

H.E. Djibril Yipènè Bassolé
Minister of Foreign Affairs and Regional Cooperation of Burkina Faso

Enclosure 2

[Original: Arabic and English]

DOHA DOCUMENT FOR PEACE IN DARFUR
(DDPD)

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LIST OF ABBREVIATIONS

ADB — African Development Bank

ADSC — All Darfur Stakeholders Conference

AFR — Annual Financial Report

AOR — Area of Responsibility

AU — African Union

CFA — Ceasefire Agreement

CFC — Ceasefire Commission

CPA — The Comprehensive Peace Agreement

CPC — Community Policing Centre

CTSG — Ceasefire Team Site Group

DDB — Darfur Development Bank

DDR — Disarmament, Demobilisation and Reintegration

DFC — Deputy Force Commander

DJAM — Darfur Joint Assessment Mission

DLC — Darfur Land Commission

DMZ — Demilitarised Zone

DoC DPA — Declarations of Commitment to the DPA

DPA — Darfur Peace Agreement

DSG — Darfur State Governments

DRA — Darfur Regional Authority

DRC — Darfur Referendum Commission

DRDF — Darfur Reconstruction and Development Fund

EU — European Union

FC — Force Commander

FFAMC — Fiscal and Financial Allocation and Monitoring Commission

GoS — Government of Sudan

IFC — Implementation Follow-up Commission

ICRC — International Committee of the Red Cross

IDPs — Internally Displaced Persons

INC — Interim National Constitution

ITC — Integration Technical Committee

JAF — Compensation/*Jabr Al Darar* Fund

JC — Joint Commission

JCM — Joint Coordination Mechanism

JLCC — Joint Logistics Coordination Committee

JSC — Judicial Service Commission

JTC — Joint Technical Committee

LAS — League of Arab States

LCC — Logistics Coordination Committee

MDGs — Millennium Development Goals

MFS — Micro Finance System

NC — National Constitution

NCRC — National Constitutional Review Commission

NCS — National Civil Service

NCSC — National Civil Service Commission

NGO — Non-Governmental Organisation

NRF — National Revenue Fund

OIC — Organisation of the Islamic Conference

PC — Police Commissioner

PCRC — Property Claims and Restitution Committee

RCC — Reparation and Compensation Commission

RoE — Rules of Engagement

SAF — Sudan Armed Forces

SOMA — Status of Mission Agreement

SPF — Sudan Police Forces

SSCFC — Sector Sub-Ceasefire Commission

Sub-CFCs — Sub-Ceasefire Commissions

TRC — Truth and Reconciliation Committee

TJRC — Truth, Justice and Reconciliation Commission

TSGs — Team Site Groups

UN — United Nations

UNAMID — African Union United Nations Hybrid Operation in Darfur

UNHCR — United Nations High Commissioner for Refugees

UNICEF — United Nations International Children's Educational Fund

UNPOL — United Nations Police serving with UNAMID

UNSCR — United Nations Security Council Resolution

USA — United States of America

VRC — Voluntary Return Committee

VRRC — Voluntary Return and Resettlement Commission

WB — World Bank

DEFINITIONS

"*Ajaweed* Council" means a Mediation Council which consists of the Native Administration and community leaders.

"Area of Control" means a defined area over which one of the Parties exercises control and in which no other Party may undertake activity.

"Armed Militia" means irregular forces, whether or not associated or affiliated with any Party, and includes any armed group engaging in or which has engaged in hostile activity.

"Assembly" means the process of the relocation of the Movements' former combatants into selected sites for purposes of their disarmament and integration into selected security institutions.

"Assembly Areas" or "Cantonment Sites" are used interchangeably to mean locations where combatants go through the disarmament and demobilisation process.

"Buffer Zone" means a defined area established in accordance with this Agreement monitored by UNAMID from which disputing or belligerent forces have been excluded.

"Combatants" means Movements' forces.

"Commissioner" means head of a body in the Agreement, member of the DRA.

"Community Police" means volunteer personnel who are recruited by GoS in consultation with DRA from local communities to undertake patrolling activities to assist in maintaining public peace and tranquillity.

"Conflict-affected persons" or "victims of conflict" means persons or groups of people who have suffered persecution during the conflict in Darfur as well as those whose life and livelihoods have been adversely affected as a result of the conflict.

"Crew-Assisted Weapons" means those weapons that cannot be served by a single operator and require supplementary operators and technical means, both in launching position and/or the terminal trajectory position. Often these types of weapons are mounted on vehicles, ships and aircraft.

"Demilitarised Zone" means a defined area in accordance with this Agreement within which the Parties undertake no military operations and from which they remove military assets.

"Demobilisation" means the process by which the Parties begin to disband their military structure and former combatants begin the process of transformation into civilian life.

"Disarmament" means the collection, control and disposal of small arms, light and heavy weapons and includes de-mining.

"Disengagement" is a general term for a process that would result in the geographical separation of opposing forces.

"*Hawakeer*" means tribal land ownership rights.

"Internally Displaced Persons" (IDPs) means persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual

residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised State border.

"Movements" means all the armed groups involved in the conflict other than State armed forces and associated militia; for the purpose of this Agreement, the "Movements" refers to parties to the Doha Peace Process and are signatories to this Agreement.

"National Constitution" means the Interim National Constitution and any other Constitution.

"Parties" means the Government of Sudan and the Movements parties to the Doha Peace Process.

"Reconciliation" means a process which assists the victims of prolonged violence and grave violations of fundamental rights to overcome the grief, anger, hatred and loss of trust in order to rebuild confidence among communities and restore social peace.

"Redeployment" means the transfer of a unit, an individual or supplies deployed to one area to another location within the area, or to an interior part of the zone for the purpose of further employment or demobilisation for reintegration and/or out processing.

"Reform of selected security institutions" means the process of transforming specific security institutions to improve their capacity, effectiveness and professionalism and to strengthen the rule of law in accordance with accepted international standards.

"Refugee" means a person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events is unable or, owing to such fear, is unwilling to return to it. ***"Refugee"*** is also applied to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.

"Regular Forces" means the Armed Forces, the Police Forces and the national intelligence and security services of the Republic of the Sudan.

"Reintegration" means assistance measures provided to former combatants in order to increase the potential for their economic and social absorption into civil society.

"Returnee" means a displaced person who voluntarily returns to his/her habitual residence before displacement with the intention to re-establish himself/herself there.

"Rules of Engagement" (RoE) means directives issued by a competent military authority that define the circumstances and limitations under which forces will initiate and/or continue use of force against other forces encountered.

PREAMBLE

The Parties to the Agreement hereinafter referred to as "The Parties";

Reaffirming the sovereignty, unity and territorial integrity of Sudan;

Reiterating their commitment to the National Constitution of the Republic of Sudan of 2005, to the full implementation of the Comprehensive Peace Agreement of January 2005, and to the African Union Decisions and United Nations Security Council Resolutions (UNSCR) concerning the need to reach a political solution in order to bring the conflict in Darfur to an end;

Recalling the previous agreements on the conflict in Darfur, in particular the Humanitarian Ceasefire Agreement on the Conflict in Darfur & Protocol on the Establishment of Humanitarian Assistance in Darfur of 8 April, 2004, N'Djamena, Chad; the Agreement with the Sudanese Parties on the Modalities for the Establishment of the Ceasefire Commission and the Deployment of Observers in Darfur of 28 May 2004, Addis Ababa, Ethiopia; the Protocol between the Government of Sudan, The Sudan Liberation Movement / Army and the Justice and Equality Movement on the Improvement of the Humanitarian Situation in Darfur of 9 November, 2004, Abuja, Nigeria; the Protocol between the Government of Sudan, The Sudan Liberation Movement / Army and the Justice and Equality Movement on the Enhancement of the Security Situation in Darfur in accordance with the N'Djamena Agreement of 9 November, 2004, Abuja, Nigeria; the Declaration of Principles for the Resolution of the Sudanese Conflict in Darfur of 5 July, 2005, Abuja, Nigeria; the Darfur Peace Agreement (DPA) of 5 May, 2006, Abuja, Nigeria; the Goodwill Agreement between the Government of Sudan and the Justice and Equality Movement, 17 February 2009, Doha, Qatar; the Framework Agreement between the Government of Sudan and the Justice and Equality Movement, 23 February 2010, Doha, Qatar; the Framework Agreement between the Government of Sudan and the Liberation and Justice Movement, 18 March 2010, Doha, Qatar; the Ceasefire Agreement between the Government of Sudan and the Liberation and Justice Movement, 18 March 2010, Doha, Qatar;

Recognising that the cultural and ethnic diversity of the Sudanese people is the foundation of national cohesion and shall therefore be promoted and developed;

Welcoming the generous initiative of His Highness the Emir of the State of Qatar to create a Darfur Development Bank (DDB) to assist development and reconstruction efforts in Darfur;

Stressing the necessity to promote and protect human rights, justice, accountability and reconciliation in Sudan, and in particular in Darfur;

Condemning all acts of violence against civilians and the violations of human rights, in particular violence against women and children; and stressing the imperative to refrain from such acts of violence and violations of human rights and international humanitarian law;

Recognising that creating conditions for durable peace in Darfur, the implementation of this Agreement, national reconciliation, social cohesion and reconstruction require the promotion and protection of human rights, respect for the principle of equality of all Sudanese citizens and for the rule of law;

Stressing the necessity that all Parties to the armed conflict in Darfur shall fully and unconditionally accept their obligations under international humanitarian law, international human rights law, and relevant UNSCR;

Committed to address human rights violations committed during the Darfur conflict;

Taking into account the outcomes of the first and the second Darfur civil society forums, held in Doha in November 2009 and July 2010 respectively and the outcomes of the All Darfur Stakeholders Conference (ADSC) held in Doha in May 2011;

Recognising that the Darfur conflict cannot be resolved militarily and a durable solution can only be obtained through an inclusive political process,

Have agreed to the following:

CHAPTER I - HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

ARTICLE 1: PROMOTION AND PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

1. The Parties recognise the importance of promoting and protecting human rights and fundamental freedoms of all people of Darfur. The Government of Sudan (GoS), the Darfur Regional Authority (DRA) and the Governments of the States of Darfur shall guarantee the effective enjoyment of all rights and freedoms enshrined in Sudan's National Constitution and international human rights instruments to which Sudan is a party.

2. All Parties shall fulfil their obligations under international human rights and international humanitarian law and ensure a conducive environment for the effective exercise of civil and political rights as well as the full and equal enjoyment of economic, social and cultural rights.

3. Citizenship shall be the basis for equal political and civic rights and obligations for all Sudanese.

4. The Parties shall ensure that all persons enjoy and exercise all of the rights and freedoms provided for in this Agreement, in the National Constitution of Sudan and international and regional human rights instruments to which Sudan is a party without discrimination on any grounds including sex, race, colour, language, religion, political or other opinion, national or social origin or social status. Women, children and men shall be guaranteed the equal enjoyment of all rights enshrined in the international human rights and humanitarian law instruments to which Sudan is a party.

5. The security and safety of everyone shall be guaranteed in Darfur on the basis of the rule of law, equality and non-discrimination. The Parties shall respect the right to life and security of persons, personal dignity and integrity and ensure that no person be arbitrarily deprived of his/her life, tortured or ill-treated.

6. The GoS shall guarantee the right to fair and public trial, as well as the right to resort to justice in all civil, administrative and criminal proceedings on the basis of equality before the courts and tribunals. This guarantee includes the rights set out in Articles 9 and 14 of the International Covenant on Civil and Political Rights.

7. The GoS shall take the necessary legal and administrative measures to ensure freedom of opinion, freedom of conscience and religion, freedom of expression, freedom to peaceful assembly and association, and the equal right to form and register political parties, the equal right to vote and the right to participate in public affairs, the right to form and participate in

civil society organisations, private sector bodies and trade unions. The GoS shall guarantee the freedom of the press and other media in accordance with international human rights standards as enshrined in the International Covenant on Civil and Political Rights, Universal Declaration of Human Rights and African Charter on Human and Peoples' Rights.

8. All Parties shall refrain from threatening citizens for their opinion or preventing them from exercising their equal right to freedom of expression, association and movement and peaceful assembly in Darfur.

9. The GoS, in accordance with the provisions of Chapter III, shall promote the general welfare and economic growth in Darfur through provision of adequate basic needs, services and infrastructure, promotion of youth employment, empowerment of women, good governance, public services and allocation of appropriate resources, as well as equal access to natural resources including land for all communities in Darfur, with due respect to prevailing norms and traditions.

10. The Parties agree to foster the participation of the people of Darfur in the planning, designing and implementing programmes of early recovery, reconstruction and rehabilitation in Darfur.

11. The needs of women, children and vulnerable groups shall be given due attention in the Darfur early recovery, reconstruction, rehabilitation and education policies and programmes.

12. The Parties urge the international community to enhance the implementation of economic, social and cultural rights through sustainable programmes of early recovery, reconstruction and rehabilitation throughout Darfur.

13. The GoS shall ensure the full establishment and effective functioning of the newly created National Human Rights Commission in compliance with the Paris principles within thirty days of the signing of this Agreement; and facilitate, within three months from the signing of this Agreement, the establishment by the latter, of decentralised, independent, autonomous and resourced Human Rights Sub-Committees for Darfur.

14. The National Human Rights Commission and the Human Rights Sub-Committees shall monitor the situation of human rights as well as protect and promote human rights in Darfur. The fight against all forms of discrimination and the protection of economic and social and cultural rights shall be given due attention by both the Commission and the Sub-Committees which shall regularly report on progress made towards the effective implementation of the principle of equality between States and citizens in Sudan.

15. The Parties shall cooperate with the Human Rights Sub-Committees for Darfur in the implementation of their mandate. The Sub-Committees shall have access to all relevant documents and information pertaining to human rights including physical access to all detainees throughout Darfur.

16. Technical and material assistance may be sought from the United Nations Office of the High Commissioner for Human Rights, the African Commission on Human and Peoples' Rights and other international organisations.

17. The Parties shall cooperate with the African Union-United Nations Hybrid Operation in Darfur (UNAMID) in the implementation of its human rights and rule of law mandates.

18. Human rights and civil society organisations in Darfur shall be encouraged to contribute to the promotion and protection of human rights through regular monitoring, early warning, advocacy and capacity-building programmes.

CHAPTER II — POWER SHARING AND ADMINISTRATIVE STATUS OF DARFUR

ARTICLE 2: GENERAL PRINCIPLES OF POWER SHARING

Power sharing shall be based on the following principles:

19. Sudan is an independent, sovereign and federal republic in which sovereignty is vested in the people and shall be exercised by the State according to the provisions of the Constitution of Sudan.

20. Religion, beliefs, traditions and customs are sources of moral strength and inspiration for the Sudanese people. The cultural and ethnic diversity of the Sudanese people is the foundation of national cohesion and shall therefore be promoted, developed and managed according to national criteria that reflect both the national unity and the diversity of the Sudanese people. The Sudanese people share a common heritage and aspirations and accordingly agree to work together.

21. Power sharing is vital for the country's unity, security and stability. The devolution of power and the peaceful transfer of executive and legislative powers by democratic means, through free and fair elections, as guarantors of stability shall be the foundation for democratic governance in Sudan.

22. Elections at all levels of government in Sudan shall be based on free and direct voting, observed by national and international observers.

23. The separation of the legislative, executive and judicial powers at all levels of the federation shall consolidate good governance, accountability, transparency and commitment to the security and welfare of the people.

24. The rule of law and the independence of the judiciary shall be guaranteed.

25. Citizenship shall be the basis for civic rights and obligations without any discrimination as to the ethnicity, tribe, religion, gender or origin of persons. This does not preclude any law, programme or activity that has as its objective the improvement of conditions of individuals or groups that have been disadvantaged because of their race, ethnicity, colour, or regional or national origin.

26. The displacement of citizens within or outside the territory of Sudan shall not preclude the full exercise of their civic rights subject to relevant national and international laws.

27. There shall be a federal system of government, with an effective devolution of powers and a clear distribution of responsibilities to ensure fair and equitable participation by the citizens of Sudan in general, and those of Darfur in particular.

28. All citizens, including the people of Darfur, shall be fairly and equally represented in the national civil service, public bodies and institutions, commissions, armed forces and other regular forces, at all levels, especially the senior and middle levels.

29. Without prejudice to the provisions of the Comprehensive Peace Agreement (CPA) relating to the North-South border and any international agreements in force between the Republic of Sudan and neighbouring countries, the northern boundaries of Darfur shall return to their positions of 1 January 1956.

30. The participation of the people of Darfur shall be ensured at all levels of government and in all State institutions, by means of fair power sharing criteria.

31. All levels of Government shall ensure the provision of continuing opportunities of general education, training and employment in public service to promote full and equal participation of the people of Darfur in advancing the nation's welfare. In this context, special attention shall be given to women and children in the field of education, capacity building and training. Training centres shall be established in urban and rural areas in collaboration with specialised international and regional organisations.

32. All Movements shall take necessary measures to transform themselves into political parties according to the established legal arrangements.

33. Without prejudice to paragraph 32, the Movements shall participate at different levels of government according to this Agreement.

34. To address the under-representation of women in government institutions and decision-making structures, special measures shall be taken and implemented, according to this Agreement, in order to ensure women's equal and effective participation in decision-making at all levels of government in Darfur.

POWER SHARING AT THE NATIONAL LEVEL

ARTICLE 3: CRITERIA FOR POWER SHARING

35. Power sharing, as provided for in this Agreement, shall respect the principle of proportionality, and Darfur shall fully participate in all forms of political power in Sudan's National Government.

36. Affirmative action shall be taken in favour of the people of Darfur to augment their representation in the public and civil service and regular forces. For the long term, special educational training and public employment opportunities shall be provided to enable the people of Darfur to participate fully on an equal basis in advancing the welfare of Sudan.

37. The representation of the people of Darfur at the national level shall reflect the proportion of the Darfur population to the total population of Sudan, after the separation of South Sudan.

ARTICLE 4: THE NATIONAL EXECUTIVE

38. Darfur shall be represented in the National Executive according to the criterion of proportionality.

THE PRESIDENCY

VICE-PRESIDENT

39. A number of Vice-Presidents shall be appointed in a manner that realises political inclusion and representation of all Sudanese including from Darfur. A Vice-President shall have the following responsibilities:

    i. Member of the National Council of Ministers,
    ii. Member of the National Security Council,
    iii. Act as President in the absence of the President and First Vice President in accordance with the order of precedence among Vice Presidents as shall be determined by the President,
    iv. Any other function or duty that may be assigned to him/her by the President.

ASSISTANTS AND ADVISERS TO THE PRESIDENT

40. Assistants and Advisers to the President shall be appointed from Darfur according to its proportion of Sudan's population.

41. An Assistant to the President shall be appointed from Darfur.

THE NATIONAL COUNCIL OF MINISTERS

42. Darfur shall be represented in the National Council of Ministers, in accordance to the proportionality criterion. In this regard:

    i. The five posts of Cabinet Ministers and four posts of Ministers of State currently held by the people of Darfur shall continue to be held by the people of Darfur;

ii. Two additional Cabinet Ministers and four Ministers of State shall be nominated by the Movements and appointed by the President.

iii. In the event of a change in the composition of the Council of Ministers, the Movements shall retain the same percentage of representation before the change.

ARTICLE 5: THE NATIONAL LEGISLATURE

43. Darfur shall be represented in the National Legislature in accordance with its proportion of Sudan's population. In this regard:

i. Darfur shall retain its 96 seats in the National Legislature until the next national elections.

ii. The share of Darfur from any vacant seats in the National Legislature arising from the new demographic configuration of Sudan following the January 9, 2011 referendum in South Sudan shall be filled by the Movements through an arrangement to be agreed upon by the Parties.

ARTICLE 6: THE NATIONAL JUDICIARY

44. The National Judiciary is an important arm of government. It is vital to maintain its neutrality, impartiality and independence.

45. The National Judiciary shall be representative of the people of Sudan including Darfur. The people of Darfur shall be adequately represented in the Judicial Service Commission (JSC). The Commission shall guarantee the adequate representation of the people of Darfur in the national judicial institutions, including the Court of Appeal, the National Supreme Court and the Constitutional Court.

46. A Panel of Experts shall be established by the JSC to, as a long-term measure, identify any imbalance in the representation of the people of Darfur and make appropriate recommendations on how the imbalance should be redressed.

47. The Constitutional Court has the competence to settle any disputes between levels or organs of government regarding their areas of exclusive, concurrent and residual competence.

ARTICLE 7: THE NATIONAL CIVIL SERVICE AND OTHER PUBLIC BODIES

48. Darfur shall be represented in the National Civil Service (NSC) and other public bodies according to the principles of proportionality, affirmative action and precedents, in order to rectify identified imbalances and under-representation of the people of Darfur.

49. The NCS shall be representative of all the people of Sudan, especially at the senior and middle levels.

50. A National Civil Service Commission (NCSC), with proportionate representation from Darfur, shall be created and tasked to address imbalances in the civil service and other public bodies.

51. A Panel of Experts with substantial representation from Darfur, including at the more senior levels, shall be established under the NCSC to determine the level of representation of the people of Darfur in the NCS at all levels.

52. The Panel shall identify any imbalances that have undermined the representation of the people of Darfur in the NCS, and shall make practical and action-oriented recommendations to address such imbalances and discrepancies in the NCS, including recommending appropriate measures to ensure fair representation for the people of Darfur in the service. The Panel is to be guided in its work by the following:

    i. Population size based on the 2008 or subsequent census;

    ii. Affirmative action in recruitment, training and promotion, including measures to promote gender balance.

53. The Panel shall complete its work and submit its report no later than six months after the signing of this Agreement, following which the GoS shall take remedial action within a period of six months.

54. Pending the outcome of the Panel's report, the GoS shall ensure that the following tasks are carried out:

    i. Establish and achieve interim targets for the participation of the people of Darfur, especially at middle and senior levels of the NCS including, but not limited to Under-Secretaries, Ambassadors, members of commissions and other senior posts of responsibility. These targets shall be reviewed after the submission of the report of the Panel of Experts, and shall take into consideration the representation of qualified and neutral candidates from the Movements in the NCS;

    ii. Reserve certain posts in the NCS exclusively for qualified women from Darfur;

    iii. Formulate policies and execute affirmative action on training and recruitment into the NCS of qualified people from Darfur, taking into account the agreed upon criteria, with the objective of ensuring equitable representation in the NCS, as well as to redress any imbalances;

    iv. Conduct a review of the adopted policies, three years into their implementation, and setting such new goals and targets as may be deemed necessary.

55. The Parties agree that all persons dismissed arbitrarily and unjustly from the NCS, for reasons related to the conflict, shall be reinstated. Such persons shall not lose their seniority

and shall receive their accrued entitlements. The NCSC shall receive complaints, determine their merits and demerits and recommend as appropriate.

ARTICLE 8: REPRESENTATION OF MOVEMENTS AT THE LEVELS OF GOVERNMENT

56. Movements shall be represented at all levels of government on the basis of additional protocols between each Movement and the Government. Such protocols shall be an integral part of this agreement.

ARTICLE 9: THE ARMED FORCES AND OTHER REGULAR FORCES

57. The Sudan Armed Forces (SAF) shall be regular, professional and non-partisan. The people of Darfur shall be fairly represented at all levels therein. The GoS shall take appropriate measures, in accordance with the recruitment criteria, to rectify any imbalances that may exist in the representation of the people of Darfur at senior levels of the SAF and in the intake into the military academies.

58. The Police, Customs, Immigration and Border Guards, the Prisons and Wildlife Services and all other regular forces shall be open to all Sudanese, including the people of Darfur, to reflect the diversity of the Sudanese society.

THE ADMINISTRATIVE STATUS OF DARFUR AND POWER SHARING WITHIN DARFUR

ARTICLE 10: THE ADMINISTRATIVE STATUS OF DARFUR

ESTABLISHMENT OF THE DARFUR REGIONAL AUTHORITY

59. The Darfur Regional Authority (DRA) shall be established. The DRA shall serve as the principal instrument for the implementation of this Agreement in collaboration with the GoS and with the support of the international partners. It will also play a central role in enhancing implementation, coordination and promotion of all post-conflict reconstruction and development projects and activities in Darfur, and be responsible for cooperation and coordination among the States of Darfur. The activities of the DRA shall primarily aim to promote:

    i. Peace and security;
    ii. Socio-economic development, stability and growth;
    iii. Justice, reconciliation and healing.

60. The DRA shall establish its own rules of procedure, engage necessary staff to carry out its work and establish a budget for that purpose. The prerogatives of the DRA shall not contradict or affect the exclusive powers of the states in Darfur and the Federal Government.

However, the DRA shall have oversight responsibility over all matters related to its areas of primary jurisdiction and competence. The DRA shall supervise the conduct of a referendum to decide the administrative status of Darfur, specifically whether to keep the current States system or to have a single region with States.

61. Without prejudice to the exclusive competencies of the Darfur States as provided for in the Constitution, the DRA shall oversee the implementation of all the provisions of this Agreement, including those under the jurisdiction of the States of Darfur.

62. A Darfur regional security committee shall be established in conformity with the national and state pattern, and its competencies shall be defined.

COMPETENCIES OF THE DRA

63. The DRA shall have the following primary competencies:

i. Implementation of the provisions of this Agreement in collaboration with the GoS;
ii. Achieving reconciliation and the consolidation of security and social peace;
iii. Post conflict reconstruction and development, as well as the coordination of all engagements of international and regional partners including the Darfur Joint Assessment Mission (DJAM);
iv. Health issues, environmental protection and addressing the consequences of climate change;
v. Planning, development and conservation of cattle routes and pastures;
vi. Creation of durable conditions necessary for voluntary return and resettlement of IDPs and refugees;
vii. Planning for land use and the exercise of the relevant rights;
viii. Education and cultural development;
ix. Planning and statistics;
x. Enhancing cooperation and facilitating communication and coordination among the Darfur States;
xi. Borrowing money from both national and external institutions in the context of the national macroeconomic policy as approved and guaranteed by the Bank of Sudan;
xii. Protection and promotion of human rights;
xiii. Enhancing transparency and good governance;
xiv. Capacity building;
xv. Regional tourism;
xvi. Reviewing and recommending the legislative and executive measures towards enhancing inter-state coordination;
xvii. Policies for control of small arms and light weapons in Darfur;
xviii. Any other tasks the Parties may agree on.

CONCURRENT COMPETENCIES

64. The DRA shall have concurrent competencies in policy making and coordination on the following:

i. Socio-economic development in the Region;
ii. Health policies;
iii. Financial and economic policies;
iv. Urban development and housing planning;
v. Development of trade and industry;
vi. Relief and humanitarian affairs;
vii. Initiation and negotiation, upon the approval of the GoS, of international agreements on tertiary education, culture, sports, humanitarian affairs, loans and grants, trade, investment, technical assistance with foreign governments and NGOs;
viii. Women advancement, motherhood and child care;
ix. Food and drugs quality control, consumer safety and protection;
x. Tertiary education and professional and scientific research institutes;
xi. Gender policy;
xii. Electricity generation and water and waste management;
xiii. Policies on land ownership, use and rights;
xiv. Emergency relief and disaster prevention and management, and epidemics control;
xv. Media, publications, mass media and radio stations;
xvi. Management, protection and conservation of environment;
xvii. Sports, cultural heritage and development of youth skills;
xviii. Planning Darfur's natural resources.

STRUCTURE AND COMPOSITION

65. The DRA shall be composed of two main organs: the DRA Executive Organ and the DRA Council.

THE DRA EXECUTIVE ORGAN

66. The President of the Republic of Sudan shall appoint from the Movements, the DRA Chairperson, who shall preside over the DRA Executive Organ.

67. The DRA Executive Organ shall consist of the following:

i. The DRA Chairperson
ii. Governors of the States of Darfur - Deputy Chairs
iii. Assistant to the Chairperson in charge of DRA Affairs - Member
iv. Minister of Finance and Economic Planning - Member
v. Minister of Culture, Information and Tourism - Member
vi. Minister of Agriculture and Livestock - Member

vii.	Minister of Reconstruction, Development and Infrastructure	- Member
viii.	Minister of Environment and Natural Resources Development	- Member
ix.	Minister for DRA Council Affairs	- Member
x.	Minister of Social Affairs, Maternity and Childhood Care	- Member
xi.	Minister of Health Affairs	- Member
xii.	Minister of Youth and Sports	- Member
xiii.	Minister of Technology Development and Capacity Building	- Member
xiv.	Commissioner, Voluntary Return and Resettlement Commission	- Member
xv.	Commissioner, Justice, Truth and Reconciliation Commission	- Member
xvi.	Chairperson, Darfur Reconstruction and Development Fund	- Member
xvii.	Commissioner, Land Commission	- Member
xviii.	Commissioner, Darfur Security Arrangements Implementation Commission	- Member

68. In State Protocol, the DRA Chairperson comes directly after the Vice-Presidents of the Republic and before the Assistants to the President of the Republic.

69. The Members of the DRA Executive Organ shall be appointed by the President of the Republic of the Sudan, upon nomination by the DRA Chairperson. The appointed Members shall have the status of State Ministers.

70. The DRA Chairperson may hold accountable the DRA Executive Organ members. He/she may also make a recommendation to the President of the Republic to relieve any member appointed in the Executive Organ. The DRA Council may withdraw confidence from any member appointed in the Executive Organ and make a recommendation to the DRA Chairperson to relieve him/her.

THE DRA COUNCIL

71. The DRA Council made up of 67 members, shall consist of the following:

i. Chairperson;
ii. Two Vice Chairpersons;
iii. Representatives of Movements;
iv. Representatives of the State Legislatures.

72. The DRA Council may establish specialised committees as it deems necessary.

THE COMPETENCIES OF THE DRA COUNCIL

73. The DRA Council shall have supervisory, monitoring and organisational competencies. The Council shall examine laws and recommend legislative measures that would promote coordination and cooperation among the States of Darfur. Specifically, the competencies of the Council shall include:

i. Examining laws as they relate to the competencies of the DRA;
ii. Controlling and evaluating the performance of the DRA;
iii. Approving the budget of the DRA;
iv. Ensuring proper spending and accountability by the DRA;
v. Adopting policies within the competencies of the DRA and in particular, over all trans-boundary issues between/among the States of Darfur;
vi. Establishing a Committee for the preparation of a Constitution of the Darfur Region in the event of a majority vote by the people of Darfur for the creation of one region.

SETTLEMENT OF DISPUTES

74. The DRA shall exercise its functions without prejudice to the constitutional powers and functions of the Governments of the States of Darfur. In the event that the Chairperson of the DRA deems that any action being undertaken by a State Government undermines the implementation of the Agreement, the matter shall be referred to the DRA Council for decision without prejudice to the right of any of the parties to resort to the Constitutional Court for final settlement of the dispute in accordance with the following:

i. The National Constitution;
ii. The provisions of this Agreement;
iii. The need for enhancing security, stability, the people's welfare and the protection of human rights and fundamental freedoms.

THE PERMANENT ADMINISTRATIVE STATUS OF DARFUR

75. The permanent administrative status of Darfur shall be determined through a referendum.

76. The referendum shall be held simultaneously in the States of Darfur, no sooner than one year after the signing of the Agreement. After one year, the President of the Republic, in agreement with the DRA Chairperson, will establish the Referendum Commission which will conduct the referendum. The outcome of the referendum shall be incorporated in the permanent Constitution. The following options shall be presented:

i. The creation of a Darfur Region composed of the States of Darfur;
ii. Retention of the status quo of States system. In either case the character of Darfur, as defined by cultural and historical traditions and ties, shall be respected.

77. The Darfur Referendum Commission (DRC) established by the Presidency in agreement with the DRA shall organise and conduct the referendum. The National Elections Law shall specify the rules and the procedures governing the referendum. The referendum shall be internationally monitored.

78. If a majority of votes cast by the people of Darfur in the referendum determines that a Region of Darfur should be created, the DRA shall form a Constitutional Committee to determine the competencies of the Regional Government of Darfur. The Committee shall present the proposed Constitution to the DRA for adoption within three months of the referendum. The proposed Constitution shall be submitted to the National Legislature for adoption and the President of the Republic of Sudan shall promulgate the Constitution.

79. If the outcome of the referendum maintains the *status quo*, the DRA shall continue in its capacity as the principal instrument for the implementation of this Agreement for a period of four years from the date of the signing of this Agreement.

ARTICLE 11: THE NORTHERN BORDERS OF DARFUR

80. Without prejudice to the provisions of the Comprehensive Peace Agreement (CPA) relating to the North-South border and any international agreements in force between the Republic of Sudan and neighbouring countries, the northern boundaries of Darfur shall return to their positions as of 1 January 1956.

81. The Joint Technical Committee (JTC) shall complete the demarcation exercise within 6 months after the signing of this Agreement.

ARTICLE 12: REPRESENTATION AT THE STATE LEVEL

82. The Parties agree that the Movements will be represented at all levels of the Darfur State Governments (DSG).

GOVERNORS

83. In the event that additional States are created, the Movements shall nominate two candidates for the approval of the President of Sudan as Acting Governors (Walis) to run two of the new States in the interim until elections are held.

ARTICLE 13: LOCAL GOVERNMENT

84. The Parties agree that Local Government is essential to fulfilling the commitment to vest sovereignty in the people, bring power to the grassroots and to ensure the effective participation of the citizens in governance, promote development and make the management of public affairs most cost effective.

85. Native Administration shall respect, where appropriate, the established historical and community traditions, customs and practices that have played vital roles in the community.

86. The Parties agree that Local Government and the Native Administration have been adversely affected by the conflict in Darfur and shall therefore, be empowered to address the consequences of the conflict, including environmental degradation and desertification.

87. The Parties agree that the Movements shall be adequately represented at the local government level before the next local elections, with proportionate representation of women.

88. Appropriate measures shall be taken to assist various groups such as youth and women through capacity building and affirmative action.

ARTICLE 14: UNIVERSITIES AND STATE-RUN HIGHER EDUCATION INSTITUTIONS

89. 15% of admissible seats in national universities shall be allocated for students from Darfur pursuant to the requirements of competition for 5 years.

90. The people of Darfur shall be represented in the management of national universities and higher education institutions based on the competence and scientific qualifications specified by the Ministry of Higher Education and Scientific Research.

91. 50% of admissible seats in national universities in Darfur shall be allocated for the sons and daughters of Darfur pursuant to the admission committee requirements. Meanwhile a mechanism or committee shall be constituted to examine the conditions of those affected by war to be exempted from university fees for 5 years.

92. All students who are the offspring of IDPs and refugees from Darfur States duly admitted by the admission committee to national universities shall be exempted from educational fees for 5 years.

93. The admission procedures for the children of IDPs, refugees and those affected by war shall be facilitated in the various localities in the States of Darfur.

ARTICLE 15: PERMANENT CONSTITUTION

94. The Movements shall be adequately represented in the National Constitutional Review Commission (NCRC), for the drafting of a permanent constitution of the Republic of the Sudan.

CHAPTER III - WEALTH SHARING

General provisions

Article 16: Principles for Wealth Sharing

Wealth sharing shall be based on the following principles:

95. An economy that, among other objectives, ensures poverty mitigation, social justice, equitable distribution of wealth and resources in a manner that ensures balanced and adequate standards of living for all Sudan's citizens.

96. Fiscal federalism and equitable sharing of Sudan's wealth, to enable each level of government to discharge its legal and constitutional responsibilities and duties to the people of Sudan. The GoS shall make necessary financial transfers for the benefit of Darfur, in accordance with the processes and criteria established in this Agreement.

97. All parts of Sudan have the right to just and balanced development with the recognition of an urgent need for the reconstruction of areas of Darfur affected by armed conflict and for giving special attention to displaced people by the creation of a conducive environment enabling them to return voluntarily to their places of origin, or of choice, as set out in Chapter IV of this Agreement.

98. Adoption and implementation of integrated development projects for the settlement of nomads, boosting the productivity of this sector, and organisation of the relationship between farmers and herders so as to ensure security, stability and development for all.

99. The concept of Sudan's wealth shall be defined to include natural and human resources, historical and cultural heritage, financial assets including credit and public borrowing, international and domestic, and international aid and grants. It also includes means, institutions, policies and opportunities contributing to wealth generation and distribution as well as material resources, government revenues, institutions' profits and other resources.

100. Wealth constitutes a vital element whose generation and distribution are greatly influenced by government institutions, policies and programmes. Therefore, the fair participation of Darfur in decision-making concerning policies and institutions regulating the generation and distribution of wealth that affect its social and economic interests is fundamental and shall be promoted.

101. Human resources development shall constitute a means and objective for economic and social development policies. These policies shall be drawn up and implemented to develop the educational system and to secure access by the population of Darfur, without discrimination on the basis of race or gender, to equal opportunities to education and training within Darfur and the country. Special efforts shall be exerted to eliminate illiteracy among women.

102. All Sudanese citizens shall have the following equal rights:
    i. Freedom from hunger;
    ii. Sustainable means of living;
    iii. Access to potable water;
    iv. Access to quality education;
    v. Access to health and other social services;
    vi. Adequate access to public utilities and infrastructures;
    vii. Access to development and job opportunities;
    viii. Free access to markets;
    ix. Protection of property;
    x. Promotion and protection of cultural heritage;
    xi. Restitution and/or compensation for property lost to those affected by the conflict;
    xii. Review of administrative measures which affect livelihood.

103. An effective system for the distribution of wealth, based on transparency and accountability. Affirmative action shall be taken in economic policy to address past disadvantages resulting from long years of underdevelopment and harm caused by the conflict.

104. Wealth sharing and distribution shall be based on the premise that all parts of Sudan are entitled to fair and equitable development. Acknowledging that poverty is common in Sudan, in general, and Darfur, in particular, a nation-wide strategy for poverty alleviation shall be adopted within the framework of the country's development policy to meet the Millennium Development Goals (MDGs).

105. Darfur is in urgent and dire need for rehabilitation, reconstruction and development of physical and social infrastructure damaged as a result of the conflict and for the performance of basic government functions and building up civil administration. There should be a comprehensive assessment of such needs as a top priority requiring urgent implementation.

106. The rehabilitation and reconstruction of Darfur are considered a priority. For this purpose, measures shall be taken to pay compensation to the population of Darfur, to address grievances resulting from losses in lives and destruction, seizure or theft of properties as well as the subsequent suffering.

107. The development of basic economic and social infrastructure is essential and to this end, a programme for accelerated development shall be formulated to bring Darfur to the level of the rest of the country.

108. Given that the financial resources and the expertise needed to undertake such a process are beyond Sudan's capacity, the Parties may seek support from the international community, to fully participate in this initiative, assist in the provision of the necessary finance and expertise and contribute to meeting the needs identified for this purpose.

109. Darfur as a whole and in particular those areas in need of construction or reconstruction shall be brought up to the level that will allow them to rapidly reach the MDGs. A programme for

development of basic infrastructure shall be formulated to integrate the Darfur economy within the national economy.

110. There is a need to establish a special fund for the reconstruction and development of Darfur under this Agreement.

ARTICLE 17: POLICIES OF WEALTH SHARING

111. The ultimate goal of the national economic policy shall be to reach full employment through, *inter alia*, sound policies based on promotion of price stability, raising employment levels, promotion of sustainable economic development and eradication of poverty. Accordingly, national, social and economic policies, programmes and plans shall aim at ensuring that:

i. Decent and dignified living conditions for all citizens are promoted and improved without discrimination on grounds of race, colour, ethnicity, tribal, regional or local affiliation, gender, religion, language or political or other opinions;

ii. Citizens participate, through the different levels of government, and non-governmental organisations in the formulation and implementation of social policies required to create and distribute wealth, and in decision-making on revenue management and development;

iii. Equitable and just representation in all GoS institutions involved in wealth creation and distribution is guaranteed.

112. National economic and social policies shall aim at realising the following objectives:

i. Creation and equitable distribution of wealth in all parts of Sudan consistent with the maintenance of macro-economic stability and sustainable development;
ii. Ensuring equitable tax collection and usage for the benefit of the entire population;
iii. Decentralisation of decision-making process on development issues, service delivery and governance;
iv. Provision of safe, secure and open access to markets, goods and services with a view to:

a) Securing a conducive environment for foreign investment;

b) Acknowledging social and cultural diversity;

c) Promoting social care and stability;

d) Addressing environmental deterioration;

e) Implementing sustainable development principles.

113. National economic policies shall be formulated so as to create a conducive and transparent environment for the participation of the domestic and foreign private sectors in the development

of Sudan, in general, and Darfur, in particular. National and regional legislation shall be reviewed and amended to attract investments.

114. National and regional economic policies shall be geared towards promoting exports from Darfur to national and international markets.

115. Financial and monetary policies, especially the banking system, shall be reviewed to meet the needs of sustainable growth and balanced development and to increase access opportunities to international financial markets.

116. The Bank of Sudan is committed to drawing up policies and innovative financial methods to encourage financial institutions, commercial banks and specialised government banks (Agricultural Bank, Industrial Development Bank and others) to expand their activities in Darfur.

117. Without prejudice to Article 14, policies shall be drawn up and implemented to develop the educational system and secure access by the population of Darfur, without discrimination on the basis of race or gender, to equal opportunities to education and training within the States of Darfur and the country. Special efforts shall be exerted to eliminate illiteracy among women.

118. Research and development shall be promoted and fostered, especially the promotion of technology in the fields of agriculture, animal husbandry, small industries, handicrafts, mining, environment and energy with emphasis on renewable energies.

119. Policies shall be adopted to ensure the effective protection and rehabilitation of the environment, in particular with regards to the restoration of forests and afforestation, wherever possible.

120. Priority shall be given to policies directed to the development and upgrading of the agricultural sector, including livestock, with due respect to the nomadic culture and sustainable natural environment.

121. The topmost priority in the implementation of this Agreement shall be to address the needs of the areas affected by the conflict with special attention to the internally displaced persons, returning refugees and conflict affected persons, to provide basic services and security needed to enable them return to their places of origin in safety and dignity. Chapter IV on Compensation, Return of IDPS and Refugees in this Agreement sets out principles and processes for restitution of property and assistance for the full integration of the returnees into their communities, including restoring their rights to land property and compensating them for the damages and losses caused by the conflict.

122. Special focus shall be put on the concerns of Darfur women, who are involved in all areas of activity and constitute the bulk of the labour force, especially in the agricultural and animal resource sectors, in addition to being heads of households particularly among refugees, internally displaced persons and migrants and to the fact that women's situation in all these

areas has been worsened by the conflict, which has had a particularly deleterious impact on them and children, mainly on their means of livelihood. Concrete measures shall be taken to address their concerns, as well as to ensure their equal and effective participation in commissions, committees and bodies established pursuant to this Agreement.

123. It is highly important to recognise traditional and customary rights, including '*hawakeer*' and land historical rights, on a sound and sustainable basis to secure development and a means of livelihood in Darfur. This Agreement aims to establish the mechanisms needed for the recognition and protection of such rights.

124. A mechanism shall be set up to define the processes of ensuring the utilisation and monitoring of lands and other natural resources in a sustainable manner. The said mechanism shall ensure consultation of all citizens affected by land development or natural resources utilisation, and take their views into consideration when such development process is implemented. Persons whose properties have been damaged or whose lives have been affected as a result of land or natural resources development shall be entitled to adequate and prompt compensation.

125. The land management structures and institutions shall be developed and legally supported to promote sustainable development and address environmental degradation issues according to the Land Use Mapping Database, taking into account historical experiences in this respect.

126. Darfur is geographically remote from the centre, lacks infrastructure including roads, railways, bridges and dams, and therefore requires effective development and investment, which shall be facilitated by reforms, legal exemptions and incentives including:

i. Full exemption of customs duties and other fees for imported materials for construction and development in Darfur;
ii. The GoS shall bear custom duties as well as other duties and fees payable on materials imported for national development projects in Darfur and projects funded by the GoS or by way of loans;
iii. The Investment Promotion Law shall be amended to provide for more incentive privileges for investment by foreign and local companies in the Darfur States, such as granting these companies exemption from taxes on business profits.

Reconstruction and Development of Darfur

Article 18: General Provisions

127. Reconstruction and development efforts in Darfur shall be backed through substantial, guaranteed and regular monetary transfers by the Fiscal and Financial Allocation and Monitoring Commission (FFAMC) as detailed in Article 25 as well as through other national resources and foreign aid.

128. Darfur is in need of an interim period to move quickly from conflict to peace, therefore, an enabling environment should be created to move from the humanitarian assistance phase to the reconstruction, economic recovery and development phase.

129. In support of this interim period referred to in paragraph 128 above, and in order to realise the above-mentioned objectives, Darfur needs resources, which are considerably beyond its ability to mobilise at the local economic level in the short term. Therefore, it shall be assisted in its efforts through secure and regular financial transfers by the National Revenue Fund (NRF) and other national resources in addition to foreign aid.

ARTICLE 19: MICRO-FINANCE SYSTEM

130. A micro-finance system (MFS) shall be established in Darfur to provide the required funding for income generating activities that have the potential to grow, through small loans accessible to individuals and groups without the collateral requirements applicable in the traditional banking system.

131. The MFS shall create a number of non-traditional collaterals to provide easy access for the targeted population, such as small producers, and particularly returnees receiving such financing.

132. Beneficiaries shall be trained to build their productive capacity through government funding in the areas of administration and enhancement of technical skills in their respective fields.

133. The MFS shall give particular importance to women's income generating activities especially those of widows.

134. The GoS shall contribute an amount of US $100,000,000 (US dollars one hundred million) representing the capital of the MFS.

135. The Government shall encourage banks working in micro-financing to give priority to Darfur.

136. The Government, in collaboration with the DRA, shall draw up the statute and rules of procedure of the MFS in a manner that guarantees its independence, with the participation of specialists in the field of micro-financing.

137. The MFS may receive support from organisations specialised in the field of micro-financing and others, without conditionalities.

ARTICLE 20: SOCIAL SERVICES

138. In addition to the transfers from the FFAMC, the GoS shall contribute an amount of US $ 225,000,000 (US dollars two hundred and twenty-five million) payable to the Darfur States, over a period of three years in three equal instalments, to support social service activities.

Article 21: The Darfur Reconstruction and Development Fund

139. Necessary measures shall be taken within its structural and operational frameworks to reform, restructure and rectify the imbalances in the Darfur Reconstruction and Development Fund (DRDF), which shall be operational until integrated in a Multi-Donor Trust Fund to be established following the Darfur Joint Assessment Mission (DJAM) as stipulated in Article 32.

140. The DRDF shall operate under the supervision of a committee composed of representatives from the GoS, the DRA and the Governments of the Darfur States.

141. The functions of the Fund include, but are not limited to, the following tasks:

i. Financing return and resettlement projects;
ii. Redressing development imbalances, especially in the fields of infrastructure and the realisation of the MDGs;
iii. Establishing financing mechanisms to meet the special needs of women, children and orphans. Such mechanisms shall include, but not be limited to, the provision of loans, investment opportunities, strengthening of productive capacities, production inputs and capacity building for women.

The National Government Allocation for the DRDF

142. In addition to the share of Darfur in the transfers made by the FFAMC, the GoS shall allocate US $2,000,000,000 (US dollars two billion) from the NRF. An amount of US $200,000,000 (US dollars two hundred million) of the aforementioned amount shall be deposited immediately after the signing of this Agreement as seed money in the DRDF. The GoS shall pay the balance as follows:

i. An amount of US $300,000,000 (US dollars three hundred million) in the year following the signing of this Agreement;
ii. An amount of US $300,000,000 (US dollars three hundred million) in the third year;
iii. An amount of US $300,000,000 (US dollars three hundred million) in the fourth year;
iv. An amount of US $400,000,000 (US dollars four hundred million) in the fifth year;
v. An amount of US $500,000,000 (US dollars five hundred million) in the sixth year.

Fiscal Federalism and Intergovernmental Relations

Article 22: Identifying Financial Responsibilities at the National and States Levels

143. National revenues shall be allocated to the Federal Government and the State Governments in proportion to their constitutional responsibilities in order to ensure the effectiveness of federal governance.

144. Responsibilities concerning expenditures and revenues shall be distributed at the national and State levels of governance in accordance with the following principles:

i. Assignment of expenditure function to the level of government whose jurisdiction closely reflects the geographical area served by that function;
ii. The delivery of a particular service (expenditure assignment) may be carried out exclusively by a given level of government, or concurrently by two or more levels;
iii. The DSG shall endeavour to pay for the services delivered to people living in a given geographical area from revenues raised in the said area;
iv. The DSG shall have the right to identify the revenue base structure, tariffs levels or tax rates collected without intervention by the Federal Government.

Article 23: Assignment of Revenues Rules and Bases

Revenues Rules

145. All revenues collected at the national level for or by the Federal Government, including revenues of all Ministries, covering those of gold, oil, administrations or the Government's share of the profits of any institution or company or any other entity, whether resulting from commercial, investment or other activity, shall be paid into the account of the NRF administered by the National Treasury. This fund covers all accounts, including sub accounts into which amounts due to the Federal Government are collected, reported and deposited.

146. At the end of each fiscal year, all levels of governance and their subsidiaries shall make public, through legislative bodies, a comprehensive report detailing all tax and non-tax revenues as well as all expenditures (annual financial report) to ensure transparency and accountability by the legislature.

Revenues Bases

147. The Federal Government may legislate to collect revenues or taxes from the following sources:

i. National personal income tax;
ii. Corporate or business profits tax;
iii. Customs duties and imports taxes;
iv. Seaports and airports revenues;
v. Service charges;
vi. Oil, mining and electricity revenues;
vii. Government institutions and projects revenues;
viii. Value added tax and taxes on whole/retail sales and other taxes on goods and services;
ix. Excise duties;
x. Loans, including from the Central Bank of Sudan and from citizens;
xi. Grants and foreign financial aid;
xii. Any other taxes set by the National Legislature.

148. The DSG shall be entitled to raise and administer the following:

i. State land and property taxes and royalties;

ii. Service charges for state services;
iii. License fees;
iv. Darfur States' personal income tax;
v. The States' share of oil revenues and other natural resources produced in the Darfur States;
vi. Darfur States projects, institutions and natural reserves;
vii. Stamp duties;
viii. Agricultural taxes;
ix. Tourism taxes;
x. Foreign grants and aid;
xi. Excise taxes;
xii. Other regional taxes enacted by State legislations;
xiii. Local and foreign loans and borrowing, in accordance with their creditworthiness, within the framework of the national macroeconomic policy, approved and guaranteed by the Central Bank;
xiv. Livestock tax;
xv. Subsidies provided by the GoS and foreign financial aid;
xvi. Allocations from the NRF;
xvii. Revenues from border trade taxes according to the Federal Legislation.

149. The Darfur States may conclude agreements to enhance resource mobilisation and management within their jurisdiction and powers.

Article 24: Zakat Chamber

150. All Zakat money collected in Darfur shall be spent within Darfur.

151. Notwithstanding the provisions in paragraph 150, the Central Zakat Chamber, under Article 38(A) of the 2001 Zakat Law may provide the maximum possible necessary funding and implement programmes and projects in favour of poor families, particularly displaced persons and refugees, in various services, such as digging wells, providing medical devices and equipment, education and other productive projects in line with the poverty level in Darfur.

Article 25: Intergovernmental Financial Transfers

152. The FFAMC shall be established by law. Also, a team of experts shall be appointed by law and commissioned to determine the criteria of the transfers from the NRF to the States of Darfur. A representative of the DRA shall be member of the FFAMC.

153. To accomplish financial equalisation, the FFAMC shall ensure that the interests and views of Darfur States are reflected, taking into account the interests of other State Governments. The Commission shall be structured to ensure the following:

i. Optimal use and sharing of resources vertically and horizontally;
ii. Transparency in the allocation of funds to the States of Darfur;

iii. Monitoring the National Treasury's action in making swift transfer of the budget grants. The Commission shall submit reports to the Legislature.

154. The Shares shall be directly transferred from the FFAMC to the States of Darfur using the following criteria:

i. Population according to the 2008 census;
ii. Development indicators (Health, Education, Infrastructure);
iii. Effort exerted by the State in collecting revenues;
iv. Impact of the conflict;
v. Geographical size.

155. A team of experts shall specify the weight of each criterion in the form of a percentage to serve as basis for calculating the share of each and every State.

156. The FFAMC shall implement a transparent process whereby the timely payment of transfers to Darfur States is monitored while ensuring that the Federal Government does not retain Darfur States' funds or those of any other sub-government level.

157. The Darfur States may file a suit with the Constitutional Court in the event that the National Treasury retains funds allocated to the Darfur States or does not allocate the funds set for them.

ARTICLE 26: TRANSFER OF FUNDS TO DRA

158. The GoS shall finance all the activities of the DRA. Funds for capital expenditure shall be sourced from the DRDF, while the overhead cost aspect of the budget shall be funded directly from the National budget after its adoption by the National Legislature.

159. There shall be transparency in the allocation of funds to the DRA.

160. The DRA may file a suit with the Constitutional Court in the event that the Federal Government delays or withholds the transfers of funds allocated to it.

ARTICLE 27: FISCAL ENTITLEMENTS OF DARFUR

161. Within the context of the federal system, Darfur States shall be entitled to:

i. Transfers of tax revenues from the National Treasury collected in accordance with Article 25;
ii. Tax revenues collected in accordance with Article 23;
iii. Revenues of the DRDF;
iv. Revenues from the Multi-Donor Trust Fund.

162. A system of grants for specific purposes shall be established, with a view to realising the MDGs, alleviating poverty and realising gender equality.

Article 28: External Sources of Financing

163. The DRA and the Darfur States can get loans from national and international financial markets upon approval and guarantee of the Central Bank of Sudan.

164. The DRA and the Darfur States shall submit to the Federal Government, reports on all amounts received from external financing and aid sources.

Article 29: Capacity Building

165. Upon the signing of this Agreement, the GoS shall assist the Darfur States and the DRA to work out and implement an advanced and comprehensive capacity building programme in the fields of public finance and fiscal federalism.

Article 30: Monitoring and Accountability

166. The DRA and the Darfur States shall prepare annual budgets based on the general financial statistics, which are submitted to the DRA Council and the States Legislatures respectively, for approval or amendment. No modification or addition of any new allocation shall be made without the approval of the DRA Council or, as the case may be, the Darfur Legislatures. Comprehensive interim reports shall also be prepared on the total revenues and expenditures. The method of preparing such reports shall be set in accordance with the criteria of transparency and accountability at the national level, on the basis of the financial laws and the guidelines by the National Auditor Chamber; and comprehensive reports should be prepared in compliance with international standard.

167. Institutions in charge of monitoring this process include the following:

i. The FFAMC;
ii. The National Auditor General's Chamber and States' Auditors General Offices;
iii. The DRA Council;
iv. The Darfur State Legislatures.

Article 31: Development Policies for Darfur

168. National development policy shall be based on the right of all parts of Sudan to equitable and balanced development and giving special priority to the more deprived and conflict affected areas of the country.

169. Within this framework, Darfur shall aim at realising short-term and medium-term objectives in the fields of rehabilitation, reconstruction, construction and development taking into consideration urgent needs and the need to work out the basis for long-term development. Special attention shall be given to programmes and projects which will enable Darfur to speed up the transition from relief to development.

170. The main objectives of the post-conflict economic recovery and development in Darfur are the following:

i. Reconstruction and development;
ii. Reinvigoration of Darfur's economy to enable it to integrate into the national economy and promote trade between the Darfur States and neighbouring countries;
iii. Rehabilitation of basic social services such as education, health and water supplies;
iv. Realisation of sustainable economic growth, equitable development, social stability, improvement of access to social services;
v. Combating poverty and raising economic capacity and awareness;
vi. Creation of adequate employment opportunities;
vii. Development of individual and institutional capacities in good governance with emphasis on accountability and transparency;
viii. Development of physical infrastructure to improve access for the Darfur population to principal markets in Darfur, the rest of Sudan and in neighbouring countries and commitment to the implementation of the Western Ingaz Highway with all branches within two years in accordance with international standards;
ix. Establishment of a stable and transparent legal framework to encourage private, local, national and foreign investments;
x. Development of technical and analytical capacities in major fields such as economic management, financial management and procurement;
xi. Investment in education and scientific research to improve and develop human resources;
xii. Promotion of the production of alternative energy sources and addressing the causes of environmental degradation.

171. The Parties recognise that Darfur, being historically deprived and having severely suffered from destruction caused by the conflict, is in dire need to:

i. Restore peace, security, and social stability;
ii. Carry out government functions more effectively;
iii. Strengthen the civil administration;
iv. Rehabilitate, reconstruct and construct physical, institutional and social infrastructures in post-conflict Darfur;
v. Implement a comprehensive structural reform of universities and institutions in Darfur to enable them to undertake their mission;
vi. Establish universities and national and branches of foreign scientific and technical colleges to transform Darfur into a developed society in terms of technology, industry, agriculture and trade.

172. Competition over pasture and water between herders and farmers is a serious problem in Darfur which shall be addressed in a comprehensive way by:

i. Developing policies and projects to curb environmental degradation, raise the agricultural production and improve livestock production;
ii. Gradually shifting emphasis from quantity to quality in livestock production and animal husbandry;
iii. Developing a framework for equitable access by various users of land and water resources;
iv. Developing policies and projects aimed to establish agricultural, industrial and technological economy in the States;
v. Developing research capacities in these areas.

173. Neglect of the traditional rain-fed sector on which the Sudanese people in general, and the people of Darfur in particular depend, has led to increasing food imports, rural-urban migration and the spread of hunger and disputes. Therefore, policies and projects should be formulated and directed towards promoting traditional rain-fed agriculture, which shall be considered as a major national development priority to accelerate the attainment of the MDGs.

174. The following development projects, which have been neglected, shall be reviewed in order to assess their feasibility and, if found feasible, revived:
i. West Savannah Development Project;
ii. Jebel Marra Rural Development Project;
iii. Jebel Marra Thermal Energy Project;
iv. Habeela Agricultural Project;
v. Ghazalah Jawazat Research Station;
vi. Abu Hamra Agricultural Project;
vii. Saq Alnaam Agricultural Project;
viii. Urn Bayada Project;
ix. Wadi Hawar Water Valley Basin;
x. Combating Drought and Desertification Project;
xi. Popular Housing Project;
xii. Agricultural Research Projects;
xiii. Sugar Production Projects;
xiv. Alradoom, Wadi Hawar and other Wildlife Reserves;
xv. Urn Ajaja Project (Bahar Alarab Development Project);
xvi. Wadi Alatroon Development Project

175. All government levels shall exert maximum efforts to bring human development levels in Darfur up to national levels in the context of endeavours to accelerate the attainment of the MDGs.

Article 32: Darfur Joint Assessment Mission

176. The Darfur Joint Assessment Mission (DJAM) shall be established to identify and assess the needs for economic recovery, development and poverty eradication in the aftermath of the conflict in Darfur. Such needs shall be presented at a donors' conference to be convened three months after the signing of this Agreement.

177. The Parties shall request the World Bank (WB), the DDB, the United Nations (UN), and the African Development Bank (ADB) to lead the Joint Assessment Mission's activities, in cooperation with the Islamic Development Bank (IDB), the African Union (AU), the League of Arab States (LAS), the Organisation of the Islamic Conference (OIC), Arab Funds, the European Union (EU), the United States of America (USA), the State of Qatar, and other interested countries and regional and international economic organisations.

178. Since the financial resources and expertise required to undertake such an operation are beyond Sudan's capacity, the Parties request the international community to urgently and fully participate in this initiative and assist in the provision of necessary resources and expertise and partake in meeting the needs set for this purpose through the establishment of a Multi-Donor Trust Fund. The operational procedures of the Fund shall be determined by a supervisory body to be established by the Donors and the GoS.

179. The Parties shall be represented in the supervisory and technical committees of the DJAM.

180. Darfur development needs in social areas and infrastructure shall be assessed and the resources required for addressing those needs within six years shall be determined by the DJAM.

Development and Management of Lands, *Hawakeer* and Natural Resources

Article 33: General Principles

181. The boundaries of the land referred to in this section shall be those of Darfur mentioned in paragraph 80 of Chapter II of this Agreement.

182. Since the people of Darfur did not benefit from the 1925 Land Settlement and Registration Ordinance, priority shall be given to modifying the laws to include rights to land and its use *(hawakeer)* in conformity with customs, traditions and heritage on land ownership, traditional livestock routes and access opportunities to water sources.

183. Where lands leased under the investment laws and the lessees did not meet the conditions under which those lands were leased to them, the lands in question shall return to their *status quo ante*.

184. Without prejudice to the provisions of this Agreement, the appropriate or identified government level shall exercise the rights related to the lands owned by the GoS in Darfur.

185. All displaced persons and other persons arbitrarily or unlawfully deprived of their lawful possessions or rights to land shall have their possession and rights restored and shall be compensated adequately and promptly for the losses or damages sustained during the period of deprivation.

186. Mechanisms shall be established to ensure the sustainable management and use of lands and other natural resources. All citizens affected by land development and natural resources utilisation shall be consulted and their views taken into consideration. Individuals whose

property or means of livelihood have been adversely affected because of the development and exploitation of natural resources shall be entitled to adequate and prompt compensation.

Article 34: Land Traditional and Historical Rights

187. Land ownership regulation and use and exercise of land rights are concurrent powers which shall be exercised at the appropriate government level.

188. Tribal traditional land ownership rights *(hawakeer)*, historical rights to land, traditional and customary livestock routes and access to water sources shall be recognised and protected. All relevant levels of Government shall initiate and complete a process to progressively amend relevant laws to incorporate customary laws, in accordance with international trends and practices. To protect the traditional heritage, the closed traditional and customary livestock routes shall be re-opened, whenever possible, or alternative routes shall be demarcated.

189. Land laws amended in accordance with paragraph 188 shall recognise and protect the historical, traditional and customary rights to land.

190. No individual or group of individuals shall be deprived of any traditional or historical rights to land or of the right to have access to water sources without consulting and compensating them in a prompt and adequate manner.

191. Without prejudice to the jurisdiction of the courts, the Darfur Land Commission (DLC) shall address land traditional and historical rights, review land management and use and natural resources development.

Article 35: Local Communities' Lands

192. The Federal and State Governments may develop communities' lands in good-faith consultation with the participation of the local communities that have rights to those lands. The community shall be entitled to receive an equitable share of the revenue accruing from the development of those lands; alternatively the affected community shall be compensated in kind and/or in cash.

193. The Federal and State Governments may act on or develop any land belonging to the local communities provided that such an action or development is in conformity with the Development Plan set in accordance with the Land Use Mapping Database established in accordance with Article 38.

Article 36: Land Allotment

194. Individuals in the local communities may register their customarily owned land as their own. The registration shall be free, if possible, and, if not, shall be for a reduced fee and shall be coupled with facilitated procedures and campaigns for raising public awareness.

ARTICLE 37: LAND PLANNING AND SUSTAINABLE DEVELOPMENT

195. Land planning and sustainable development shall be subject to the following:

i. Recognition of traditional rights (including *hawakeer)* and historical rights to land to ensure the safe and sustainable basis to livelihood and development in Darfur;
ii. Development of sustainable land system and resolution of disputes resulting from competition in land use;
iii. Land planning in Darfur shall be based on the outcomes of the Land Use Mapping Database in terms of the following usage:

a) Housing;

b) Agriculture;

c) Grazing;

d) Mining;

e) Industrial development, including foreign investments;

f) Natural reserves;

g) Seasonal transhumance (routes, pastures etc...);

h) Forests reserves and afforestation.

ARTICLE 38: THE DARFUR LAND COMMISSION

196. The Darfur Land Commission shall be established. The DLC Council shall be composed of representatives of the Federal Government, the DRA, DSG, Native Administration and local experts. The membership shall reflect land use interests in Darfur. In making recommendations on land planning and development, the Council shall consult individuals whose rights are affected.

197. The DLC shall develop the Darfur States Land Use Mapping Database and shall submit it as a recommendation to the Darfur State Legislatures for their adoption and then to the DRA Council for final approval. This Database shall be reviewed every five years.

198. The DLC shall apply a system of planning for the use and development of land and natural resources that is aimed at the following:

i. Sound management, development and protection of the natural resources, including agricultural lands, protected natural reserves, forests and minerals, waters, towns and villages with a view to promoting the local communities' social and economic welfare and the establishment and the preservation of a better environment;

ii. Development and coordination of the organised economic exploitation of lands and natural resources;
iii. Sustainable development;
iv. Protection of cultural heritage;
v. Protection, provision, and coordination of telecommunication, transport and other relevant services;
vi. Allocation of land for public purposes;
vii. Provision and coordination of social services and facilities;
viii. Environmental protection, including the protection of flora and fauna, endangered species and natural reserves;
ix. Reclamation of eroded land and development of programmes to combat desertification, including reforestation and afforestation;
x. Enhancement of shared responsibility for environmental planning among various government levels in Darfur;
xi. Creation of opportunities for public participation in environmental planning and assessment;
xii. Creation of opportunities for consultation with all persons affected by land and natural resources development plans;
xiii. Approval of adequate and prompt compensation for individuals whose means of livelihood or properties are adversely affected as a result of decisions related to land and natural resources development and planning.

199. Local communities or individuals whose current land use or means of livelihood are adversely affected as a result of the Land Use Mapping Database shall have the right to be promptly and adequately compensated.

200. The DLC shall:

i. Be independent and impartial;
ii. Develop its rules of procedure and summit them to the DRA for approval;
iii. Have access to all land records;
iv. Discharge its functions expeditiously;
v. Make all appropriate arrangements to ensure full and effective participation by all affected individuals and local communities in its procedures;
vi. Submit an annual report to the DRA and the Darfur State Governments on its activities in its annual budget;
vii. Ensure that the membership, recruitment and conditions of service in the Commission, in accordance with law;
viii. Take into consideration traditional and historical rights to land.

201. Without prejudice to the jurisdiction of courts, the DLC shall perform the following additional functions:

i. Arbitration on land rights disputes;

ii. Submission of recommendations to the appropriate government level on the recognition of traditional and historical rights to land;
iii. Assessment of appropriate compensation in connection with the applications submitted to it. Such compensation may not necessarily be limited to financial compensation;
iv. Advising the different levels of government on how to coordinate policies on projects of the Darfur State Governments affecting land or land rights, taking into consideration the Land Use Mapping Database;
v. Establishment and maintenance of records on land use;
vi. Undertaking research on land ownership and use;
vii. Reviewing the current mechanisms for the regulation of land use and making recommendations to the competent authorities on necessary changes, including the restoration of land rights to their owners or payment of compensation to them.

202. While performing its arbitration functions, the DLC shall have the authority to receive applications and may, with the agreement of parties in dispute, apply customary and traditional laws or principles of justice and equity. The arbitration decision shall be binding upon the parties in dispute and it may be enforced by a competent court.

203. Without prejudice to the jurisdiction of the courts, parties to land disputes shall be encouraged to exhaust traditional methods of dispute settlement, including arbitration, before going to court.

204. The DLC shall respect the decisions made by institutions or entities authorised in Chapter IV of this Agreement to make decisions on lands owned by displaced persons, refugees and other conflict affected individuals.

205. The National Land Commission (NLC) and the DLC shall cooperate and coordinate their activities so as to use their resources effectively. Without placing restrictions on coordination issues, the NLC and the DLC shall agree on the following:

i. Sharing information and decisions;
ii. Delegating certain functions of the NLC, including data collection and research, to the DLC;
iii. Removing any contradiction between the results and recommendations made by the two Commissions;

206. The DLC shall be a permanent member of the NLC.

207. In the event of a conflict between the results and recommendations of the NLC and those of the DLC, the two Commissions shall endeavour to reconcile their positions. Failing this, the issue shall be referred to the Constitutional Court for decision.

Article 39: Major Development Projects

208. The DRA Council and the Darfur States Legislative Councils may, in exceptional circumstances, empower the DSG to enter into agreements to implement major development projects which

may not be in conformity with any plan for land use or planning legislation. However, DSG may seek to obtain this mandate only if the proposed agreement contains detailed provisions explaining the following:

i. A clear definition of the proposed project;
ii. The procedures to be adopted, in accordance with the agreement, to protect the environment;
iii. The steps to be taken to undertake consultations with all those communities and individuals whose interests are adversely affected by the proposed development project;
iv. The benefits expected for local communities and the Darfur population;
v. The compensation to be made to communities and individuals whose properties or means of livelihood are adversely affected by the agreement, with clarification of whether they have consented to the compensation specified.

The Land Use Mapping Database or the legislation on planning shall be amended accordingly.

Article 40: Natural Resources

209. In planning for the management and development of natural resources, the DLC shall be committed to sustainable utilisation of such resources taking into account the following:

i. The national interest and the public good;
ii. The interest of the States and areas concerned;
iii. The interests of the local populations in areas concerned;
iv. The national and Darfur States environmental policies, biodiversity conservation guidelines and cultural heritage protection principles;
v. Rights to land, including customary and traditional rights;
vi. Internationally recognised standards and environmental friendly methods in mining and natural resources development.

210. Consultations shall be held with the land right holders and their views shall be taken into consideration when decisions are made in relation to the exploitation of subsoil resources in areas in which they have rights.

211. Individuals holding land rights shall be entitled to compensation on adequate and prompt basis in the event their land property is expropriated or exploited to develop natural resources.

212. The GoS shall enable the people of Darfur to be represented through their State Governments in all phases of decision making relating to the development and exploitation of natural resources in Darfur. This shall include the procedures for negotiating, concluding and managing contracts. The benefits to local communities affected by the development shall be taken into account.

Article 41: Management and Development of the Petroleum Sector

213. The management and development of the petroleum sector shall be based, *inter alia*, on the following:

    i. The optimal exploitation of oil as a non-renewable natural resource in accordance with:
        a) The national interest and the public good;
        b) The interest of the States concerned;
        c) The interest of the population in the areas concerned;
        d) The national and Darfur states environment policies, biodiversity conservation guidelines, cultural heritage protection principles, including the adoption and observation of international technical and safety standards.
    ii. Enabling the appropriate levels of government in Darfur, in cooperation with the relevant local communities, to participate in the development and management of oil at different stages;
    iii. Creating a conducive environment to attract foreign direct investment in Darfur;
    iv. Undertaking consultations with land rights holders in Darfur and taking into account their opinions when making investment decisions on oil resources in the relevant areas;
    v. Individuals holding land rights shall be entitled to compensation on an adequate and basis in the event their land property is expropriated or exploited to develop oil resource.

214. The State in which investment in the oil sector will take place shall be represented by three non-permanent members in the National Petroleum Commission in order to participate in the negotiation and the conclusion of the relevant contracts, and make sure that the provisions of those contracts are consistent with the principles, policies and directives of the Commission.

215. 2% of oil revenue shall be allocated to the oil-producing State. That State may negotiate a higher percentage.

CHAPTER IV - COMPENSATION, RETURN OF INTERNALLY DISPLACED PERSONS AND REFUGEES

ARTICLE 42: GENERAL PRINCIPLES FOR COMPENSATION AND THE RETURN OF INTERNALLY DISPLACED PERSONS AND REFUGEES

Durable solutions for internally displaced persons (IDPs) and refugees shall be based on the following principles:

216. The commitment of the Parties to the obligations concerning internally displaced persons and refugees set forth in the Framework Agreements between the Government of Sudan and the Justice and Equality Movement, 23 February 2010, and the Framework Agreement between the Government of Sudan and the Liberation and Justice Movement, 18 March 2010, specifically, the right of internally displaced persons and refugees to return voluntarily to their homes of origin and the responsibilities of the Parties to create the conditions for a conducive environment enabling voluntary return and to assist this return in accordance with a clear-cut strategy.

217. Respect for, protection and fulfilment of the rights of IDPs, refugees and all victims of conflict in accordance with international human rights law, international humanitarian law, international refugee law and all other international and regional instruments to which Sudan is a Party.

218. IDPs, returning refugees and all victims of conflict shall enjoy, in full equality, the same rights and freedoms as do other persons in Sudan under national law and international legal instruments to which Sudan is party.

219. The protection and assistance of IDPs, refugees and all victims of conflict with special needs, including separated and unaccompanied children, female heads of household, expectant mothers, mothers with young children, the elderly, and persons with disabilities.

220. The adoption by the Parties of measures to ensure that IDPs, refugees and all other victims of conflict live in conditions of safety and dignity, and in full respect for their equal rights, in all phases of displacement, including prevention of all forms of forced displacement, protection and assistance during displacement and during voluntary return, resettlement and reintegration. Ensuring that humanitarian assistance is delivered to the affected people, especially women and children, undertaking to address the situation of the disabled among them and provide them with health and social services.

221. The commitment of the Parties to establish mechanisms to promote, enable and facilitate the active participation of IDPs, returning refugees, victims of conflict and civil society in the planning and implementation of strategies, policies and programmes related to addressing the humanitarian and human rights impact of the conflict and to the return process. Special measures shall be taken to ensure the participation of women and youth.

222. The commitment of the Parties to establish fast, safe and unrestricted access of international humanitarian, development and human rights organizations, as well as national and international non-governmental organizations, and international peacekeeping mission participating in the support, protection, return, resettlement and reintegration of IDPs, refugees and victims of conflict.

223. The Parties acknowledge the leading humanitarian role of the specialized international organisations commissioned by the United Nations Secretary-General to coordinate among all the bodies assisting with protection, shelter, camp management in situations of internal displacement and protection, assistance and solutions for refugees.

224. Fulfilment by the Parties of their obligations under the Principles and Charter of the United Nations, and the Constitutive Act of the AU, the Community of Sahel-Saharan States, and other relevant international and regional organizations acting in the area of peaceful settlement of dispute, to prevent and avoid conditions that force persons to be displaced. The Parties shall provide assistance to IDPs, returning refugees and all victims of conflict. The Parties agree to observe the Guiding Principles on Internal Displacement endorsed by the United Nations World Summit Outcome Document of 2005.

ARTICLE 43: COMPENSATION FOR HARM AND LOSSES

225. All victims of conflict, including IDPs and refugees, shall have the right to financial compensation for the harm and losses they have incurred as a result of the conflict, including loss of lives, physical injury, mental and emotional suffering and economic losses.

ARTICLE 44: SAFETY AND SECURITY

226. The Parties shall, with the support of UNAMID, provide security and protection from all forms of physical attack, all forms of sexual violence, exploitation, abduction, child recruitment, child labour, arbitrary detention, informal "taxation", charging ransoms, and illegal confiscation of property and the GoS shall address the impact of such violations by taking the necessary steps to ensure effective and timely justice.

227. The Parties shall respect and maintain the civilian and humanitarian character of the camps sheltering IDPs.

228. Subject to the provisions of Chapter VI of this Agreement, the Parties shall undertake all measures necessary with the assistance of UNAMID to ensure security in IDP camps. Such measures shall ensure the effective participation of women in the decision-making process within the camps.

229. The GoS shall take all necessary legal measures against those involved in attacks against the staff of humanitarian agencies.

ARTICLE 45: HUMANITARIAN ASSISTANCE

230. The GoS shall extend urgent aid to IDPs, including food, shelter, education, medical care, and other medical and health services, together with the other necessary humanitarian and social services.

231. IDPs shall be provided with humanitarian assistance and means of livelihood before and after their return, and the refugees upon return.

232. Such assistance shall be provided to communities hosting IDPs and returning refugees who are in need of humanitarian assistance and livelihood support.

233. The Parties shall enable and facilitate access by the United Nations and the specialized agencies and national, regional and international humanitarian organizations without hindrance and impediment to IDPs, including their camps, in accordance with arrangements agreed upon with the GoS.

234. The Parties shall secure and protect humanitarian aid routes and the security of humanitarian staff.

ARTICLE 46: PERSONAL DOCUMENTATION

235. The GoS shall issue all the documents necessary for the returning IDPs and refugees to enjoy their rights. The Parties shall agree on the formation of a mechanism affiliate to the Voluntary Return and Resettlement Commission (VRRC) to cooperate with the relevant authorities to issue the said documents free of charge.

236. The GoS shall facilitate the issuance of new or replacement documents in lieu of documents

lost or destroyed in the course of displacement.

237. Women, children, as well as men have equal rights to obtain all necessary identity documents and have the right to have such documents issued in their own names. Special efforts will be taken to expedite the provision of such documents to orphans as well as to separated and unaccompanied children.

ARTICLE 47: FAMILY REUNIFICATION

238. The Government and relevant authorities in Darfur shall take all necessary measures so that families which are separated by displacement are reunited as quickly as possible. Special efforts shall be made to expedite the reunification of unaccompanied and separated children with their families. The VRRC shall coordinate and cooperate with humanitarian organizations engaged in family tracing and assisting family reunification. The Parties underscore their commitment to fight child abduction and trafficking, and shall work to prevent and disclose any irregular practices.

ARTICLE 48: FREEDOM OF MOVEMENT

239. The Parties shall guarantee the freedom of movement and choice of residence of IDPs and returning refugees, including their right to move freely in and out of camps, and their right to return voluntarily to their place of origin or to resettle voluntarily in another part of the country.

240. The Parties shall respect and ensure the right of IDPs and refugees to seek safety in another part of Sudan and to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

ARTICLE 49: VOLUNTARY RETURN

241. All IDPs and refugees have the right to return voluntarily, and in safety and dignity, to their homes of origin or places of habitual residence or to resettle in another place of their choice. The Parties shall not interfere with IDPs' and returning refugees' choice of destination, nor shall they compel them to remain in, return to, or move to situations of serious danger or insecurity, or to areas lacking in basic services necessary to resume a normal life.

242. The GoS shall accept and facilitate the voluntary return of IDPs and of refugees to their homes of origin or places of habitual residence or their voluntary resettlement in another part of the country.

243. The Parties shall take all necessary steps to prevent activities which would hinder the voluntary return, in safety and dignity, of IDPs and refugees.

244. IDPs and refugees shall have access to objective information about the conditions in the areas of return or resettlement. The Parties, with the assistance of competent local and international actors, shall facilitate the timely flow of accurate information about the conditions in areas of return or resettlement in order for refugees and IDPs to be able to make an informed and voluntary decision about return or resettlement.

245. The Parties shall respect the principle of family unity in the voluntary return or resettlement.

246. The Parties shall make special efforts to ensure the participation of IDPs and refugees, including women and youth, in the planning and management of their return or resettlement and reintegration, in coordination with the VRRC and any other relevant entities.

ARTICLE 50: CONDITIONS SUITABLE FOR RETURN

247. The GoS shall establish, as soon as possible, the security, political, economic and social conditions, and shall provide the means, to enable IDPs and refugees to exercise their right to return, voluntarily, in safety and dignity, to their homes of origin or places of habitual residence.

248. The Parties shall facilitate the creation and maintenance of conditions required for the voluntary return, in safety and dignity, and for the durable and harmonious reintegration of refugees and IDPs.

249. The Parties agree that the necessary conditions for return of IDPs and refugees are the following:

i. The security and safety of IDPs and refugees, without risk of harassment, intimidation, persecution, or discrimination, during and after their voluntary return or resettlement;
ii. The right to freedom of movement and choice of residence, including the right to return to their homes of origin or habitual residence and to settle therein;
iii. Demining of the areas in which the homes and lands of IDPs and refugees are located, and demining routes to markets, water sources, schools and health services;
iv. The restitution of property to IDPs and refugees;
v. Assistance in erecting fixed shelters in the return villages for IDPs and refugees and repair of or compensation for the damaged properties;
vi. Access to food, potable water and health care, including through the provision of humanitarian assistance until IDPs and refugees can resume normal life;

vii. The provision of the sum of US$ 250 (US dollars two hundred and fifty) per family as part of the return package to help meet IDPs and refugees' immediate needs upon return. This package is intended to enable them to restart their livelihood and commence effective reintegration. The package shall also include access to potable water, food and shelter materials, as well as agricultural inputs for both crops and livestock such as seeds, seedlings, veterinary services, tools and essential equipment;

viii. Rehabilitation and construction of basic facilities in areas of return;

ix. Rehabilitation of damaged agricultural land;

x. Provision of education and equal training for boys and girls including livelihoods training;

xi. Equal access to means of livelihood for men and women, including employment;

xii. Equal access for IDPs and refugees to public services and the equal right to participate in public affairs;

xiii. Psychosocial support to IDPs and refugees.

250. The Parties shall ensure that the appropriate conditions are in place before promoting return.

251. The Parties shall facilitate the voluntary return or resettlement of IDPs and refugees in a peaceful, orderly and phased manner, in accordance with a clear strategy.

ARTICLE 51: VOLUNTARY RETURN AND RESETTLEMENT COMMISSION

252. A Voluntary Return and Resettlement Commission shall be established as a matter of priority. It shall comprise:

i. A Voluntary Return Committee (VRC);

ii. A Property Claims and Restitution Committee (PCRC);

iii. A Compensation/*Jabr Al-Darar* Fund (JAF).

253. The VRRC shall supervise the VRC, the PCRC and the JAF.

254. The VRRC shall prepare its rules of procedure, its financial and administrative regulations, design its structure as appropriate, for adoption by the DRA.

255. The composition of the bodies established under the VRRC, as well as the designation of their members, shall be agreed upon by the Parties.

256. The Compensation/*Jabr Al-Darar* aspect of the activities of the VRRC will be funded from the JAF.

THE VOLUNTARY RETURN COMMITTEE

257. Under the supervision of the VRRC, the VRC shall be responsible for all aspects regarding the voluntary return of the IDPs and refugees. To this end, the VRC shall undertake the following tasks and functions:

i. Conduct statistical surveys of IDPs and refugees for the purpose of planning for voluntary return or resettlement;
ii. Conduct, in collaboration with the relevant international bodies, including the United Nations High Commissioner for Refugees (UNHCR), a comprehensive needs assessment in areas of potential return or resettlement, which shall include addressing the following issues: safety, food security, damage to homes and land, potable water, sanitation, education, access to health services and infrastructure;
iii. Assess whether the conditions required for sustainable return are in place, recommend specific measures to be implemented to ensure the creation of these conditions, and verify the fulfilment of these conditions;
iv. Develop and adopt a Voluntary Return Plan, within three months of the signing of this Agreement, with the assistance of the UNHCR and competent local bodies and in consultation with IDPs, refugees and local communities;
v. Implement the Voluntary Return Plan in close cooperation with competent local bodies, the international community, in particular UNHCR, and countries hosting the refugees;
vi. Monitor and report on a continuing basis on the maintenance of the necessary conditions for sustainable return and reintegration, and on the conditions of IDPs and refugees upon return;
vii. Plan, organize and assist the voluntary return of IDPs and refugees, in accordance with the Voluntary Return Plan, and to assist in their reintegration.

258. The VRC may establish such subcommittees as it deems necessary to carry out its functions, including:

i. A subcommittee on Statistical Surveys and Planning;
ii. A subcommittee on Evaluation, Rehabilitation and Establishment of the Basic Utilities in the Areas of Return.

259. The VRRC shall ensure the active participation of representatives of IDPs, refugees and civil society in the processes associated with voluntary return.

ARTICLE 52: HOUSING, LAND AND PROPERTY RESTITUTION

260. IDPs and refugees have the right to have their houses, land and properties which they were unlawfully deprived of, restored to them. In the event that recovery of such property is not possible, they shall be entitled to compensation, in accordance with international principles.

261. This right applies to IDPs and refugees whether they choose to return to their place of origin or to resettle elsewhere.

262. The PCRC shall ensure that IDPs and refugees have their houses, land and property restored to them.

263. The PCRC shall:

i. Receive property restitution claims from IDPs, refugees and other conflict affected victims in Darfur;
ii. Determine, upon receipt of a claim, the lawful owner of the property with respect to which the claim is made;
iii. If the claimant is the lawful owner, order the restitution of the property to him or her;
iv. Where this is not possible, order the award of compensation to him/her;
v. Establish procedures for the submission and determination of claims that are simple, accessible, transparent, just, timely, enforceable and free of charge. These procedures shall include specific measures to ensure that women and orphans are able to participate on a fully equal basis in the restitution process;
vi. Where appropriate, appoint advocate(s) or representative(s) to act on behalf of a claimant particularly in cases where the person is under 18 years of age or suffers from mental disability.

264. The PCRC shall not recognize as valid any illegal property transaction including any transfer that was made under duress or made without free and informed consent.

265. The GoS shall be responsible for ensuring property restitution to the lawful owner. The GoS shall remove and relocate the people who settled in an illegal manner and occupied the properties of IDPs and refugees, with the assistance of relevant international bodies.

266. No person or group of persons shall be deprived of any traditional or historical right in respect to land or access to water without consent or prompt and adequate compensation.

267. Without prejudice to the jurisdiction of the courts, traditional mechanisms may be used to settle disputes arising from the return process, provided they are consistent with the international principles of human rights.

268. The PCRC shall establish subcommittees to carry out its functions, including:

i. a subcommittee on Verification and Documentation;
ii. a subcommittee on Dispute Settlement and Property Claims; and
iii. such other subcommittees as it may deem necessary.

269. The decisions of the PCRC shall be made public.

ARTICLE 53: COMPENSATION/*JABR AL-DARAR* FUND

270. The Compensation/*Jabr Al-Darar* Fund shall be established for payment of compensation awards ordered by:

i. the PCRC in accordance with Article 52;
ii. the Justice Committee in accordance with Article 58.

271. The Fund shall receive and hold:

i. Contributions from the GoS in accordance with paragraph 273;
ii. Contributions from the Sudanese people through their institutions such as chambers of commerce and charitable organizations;
iii. Contributions by the Islamic, Arab and African countries and their Funds;
iv. Contributions by the EU and other donors;
v. Funds mobilized by/through the United Nations agencies.

272. The JAF shall establish its rules of procedure. The procedures shall be simple and accessible.

ARTICLE 54: FUNDING

273. The initial amount of the JAF for the settlement of compensation for any loss and/or damage suffered by IDPs, refugees and any other victims of the conflict in Darfur shall be US$ 300,000,000 (US dollars three hundred million), out of which the GoS undertakes to pay US$ 200,000,000 (US dollars two hundred million), and the balance of US$ 100,000,000 (US dollars one hundred million) will be sourced from donors.

274. The GoS shall allocate funds from the national budget to support the voluntary return and reintegration of IDPs and refugees, in accordance with the budgets prepared by the VRRC, and approved by the DRA.

275. Recognizing that peacemaking in general, and collective and family compensations in particular, require mobilization of huge resources and the fact that mobilization of local resources alone cannot meet all requirements, funding such plan requires the participation and support of the international community, peace partners and beneficiaries of peace. The Parties therefore agree to promote the mobilization of international resources to contribute to the JAF.

CHAPTER V – JUSTICE AND RECONCILIATION

ARTICLE 55: GENERAL PRINCIPLES FOR JUSTICE AND RECONCILIATION

Justice and reconciliation shall be based on the following principles:

276. Respect for international human rights law and international humanitarian law.

277. Justice and reconciliation are integral and interlinked elements for achieving lasting peace in Darfur and are essential for upholding the rule of law.

278. Adoption of transitional justice mechanisms for remedies and for the legal accountability of perpetrators of acts of violence related to the armed conflict in Darfur.

279. Reconstructing and repairing social relationships and reviving and strengthening the values of peaceful coexistence, respect for existing customs, social cooperation and solidarity in Darfur.

280. The right of victims to have access to mechanisms of justice and redress, in particular the right to an adequate, effective and prompt remedy and/or reparations for violations of international human rights law and international humanitarian law.

281. Justice and other mechanisms of redress, including transitional justice mechanisms, shall be independent and impartial, and shall be consistent with international norms and standards.

282. Condemnation of atrocities, abuses and violations of human rights and international humanitarian law committed in Darfur during the conflict, and the imperative need to take all necessary steps to prevent the repetition of such violations.

283. Ensuring that all perpetrators of violations of human rights and international humanitarian law are held accountable.

284. The appropriate recording and documentation of all crimes and forms of violations.

285. The recognition of the special situation and concerns of women, children and youth and the important role of women and youth in the prevention and resolution of conflicts, in transitional justice processes and in peacebuilding, and the imperative of their equal participation and full involvement in all efforts for the maintenance of peace and security, including justice and reconciliation.

286. Children implicated in the conflict who may have been involved in the commission of crimes under international law shall be considered primarily as victims and shall be treated in accordance with the Convention on the Rights of the Child, Protocol II to the Geneva Convention, the African Charter on Rights and Welfare of the Child, the Beijing Rules and related international juvenile justice and fair trial standards.

287. Recognition of the role that independent and impartial traditional mechanisms can play in complementing processes of justice and reconciliation and the importance of making full use of their potential while maintaining international human rights standards.

288. The importance of drawing upon African and international experiences and best practices with respect to accountability, reconciliation and truth seeking in addressing what occurred in Darfur and the use of the mechanisms of justice, compensation and reconciliation for the settlement of the conflict.

289. Provision of security and full protection to all citizens.

290. Justice, accountability, recognition of wrongdoing, forgiveness and commitment to non-repetition.

291. Encouraging exchange of amicable visits between the leaders of reconciling tribes.

292. Collection of weapons in the possession of tribal groups by the tribes themselves in coordination with local authorities.

293. Promoting dialogue as an appropriate channel to achieve reconciliation among tribes and consolidating the reconciliation mechanisms recognized in Darfur.

ARTICLE 56: THE NATIONAL JUDICIAL SYSTEM

294. The Parties agree on the importance of establishing justice in Darfur in order to consolidate peace, and they agree that the institutions of justice have an important role to play in this respect. They also agree that continued broad reforms should be sustained to reinforce their capacity, professionalism and independence to ensure equal justice for all.

295. Without prejudice to Article 60, immunities enjoyed by persons by virtue of their official status or functions shall not obstruct the speedy dispensation of justice nor shall they prevent the combating of impunity.

296. The GoS undertakes to facilitate access to justice by taking the following necessary and

important steps:

i. Increasing the number of courts and judicial personnel including judges and prosecutors in Darfur;
ii. Strengthening and utilizing the system of mobile courts;
iii. Allocating adequate resources required for the effective delivery of justice, including providing necessary land and air transport throughout Darfur for prosecution officials. To this end, the Government may seek assistance from the United Nations and other peace partners;
iv. Ensuring that the Ministry of Justice enforces and supports the discharge of Prosecutorial duties in conducting investigations;
v. Ensuring the protection of judicial personnel, victims and witnesses.

297. The steps and procedures set out in paragraph 296 shall guarantee the rights to due process and a fair trial and ensure conclusive settlement of cases processed by and referred to courts and mechanisms of transitional justice, and eliminate-any existing or potential barrier obstructing people of Darfur from exercising their right to litigation, justice and remedy.

298. The GoS undertakes to provide technical assistance and support to enhance coordination between the courts and the commissions or the special committees pertaining to blood money (*dia*) or compensation, and other means of reconciliation with a view to creating the required cohesion, thereby increasing their capacity, and avoiding inconsistencies and overlaps.

299. The role of civil society in Darfur in fostering justice, peace and reconciliation freely and independently shall be strengthened. Civil society may seek support from national, regional and international organizations according to established procedures.

300. The Parties call upon the international community to provide technical assistance and appropriate resources to support the effective functioning of the judicial system.

ARTICLE 57: COMPENSATION/*JABR AL-DARAR*

301. All victims, including IDPs and refugees, who suffered loss or damage, including loss of life, physical injury, mental harm and emotional suffering, because of the conflict in Darfur, have the right to prompt and adequate compensation/*Jabr Al-Darar* in accordance with international experiences and best practices in similar situations.

302. Compensation/*Jabr Al-Darar* for loss of housing, land and property shall be addressed through the procedures set out in Article 53.

303. Compensation/*Jabr Al-Darar* for other forms of loss and damage shall be addressed in accordance with the procedures set out in Article 58.

304. Compensation/*Jabr Al-Darar* shall be paid in one instalment whenever possible. Otherwise, it shall be paid in two instalments provided that the whole period for the settlement of such compensation/*Jabr Al-Darar*, does not exceed two years from the date of assessment of the damage.

ARTICLE 58: TRUTH AND RECONCILIATION

GENERAL PROVISIONS

305. The Government shall designate a national day for peace and non-violence in Darfur.

306. In order to foster reconciliation, the Parties agree to address the following causes of the conflict:

i. Environmental degradation and dispute over access to natural resources;
ii. Tensions among local communities;
iii. Weakness of the Native Administration;
iv. Conflict over land, *hawakeer* and nomadic routes;
v. Proliferation of weapons;
vi. The regional dimension of the conflict.

307. The Parties agree that there shall be a reconciliation process aimed at:

i. Denouncing violence and exclusion and adopting dialogue as a means of achieving social peace;
ii. Adopting justice, reconciliation and forgiveness as principles leading to peace;
iii. Rebuilding and strengthening relationships between the components of Darfur society as well as raising the level of coexistence, cooperation and social solidarity in Darfur;
iv. Eradicating tribal and ethnic polarization;
v. Entrenching a culture of peace in conformity with the values, traditions and cultural heritage of the Darfur people, using such means as tribal chiefs, religious scholars, civil society organizations, the media and educational institutions;
vi. Formal and informal apologies, individually and collectively, to the victims of the conflict;
vii. Strengthening the Native Administration system;
viii. Encouraging respect for nomadic routes in order to stabilize relations and reduce tensions among herders and farmers;

ix. Resolving the issue of the presence of illegal migrants and their occupation of villages, towns, farms and orchards in Darfur.

308. Without prejudice to the prerogatives and mandate of the Truth and Reconciliation Committee (TRC) established pursuant to this Article, the following mechanisms shall be employed:

i. The *Ajaweed* Council;
ii. The Native Administration.

309. The National Government, the DRA and the State Governments shall support these mechanisms to complement the work of the TRC.

310. The role of the *Ajaweed* Councils shall be strengthened, and reconciliation conferences shall be organized with a view to restoring confidence and fostering good relations among the Darfur communities.

TRUTH, JUSTICE AND RECONCILIATION COMMISSION

311. Without prejudice to the jurisdiction of the Sudanese courts, including the Special Court for Darfur, an independent Truth, Justice and Reconciliation Commission (TJRC) shall be established. The TJRC shall be composed of the following two Committees:

i. The Justice Committee; and
ii. The Truth and Reconciliation Committee.

JUSTICE COMMITTEE

312. The Justice Committee shall be responsible for receiving, examining and assessing claims, and determining the nature of compensation/*Jabr Al-Darar* as well as the amount to be paid to the victims as appropriate. The victims shall be given a period of 10 years for filing claims before the Justice Committee, starting from the initial date fixed by the Committee for submission of individual claims.

313. The members of the Committee shall be nominated by the Parties and appointed by the Chairperson of the DRA.

314. The Justice Committee shall adopt its rules of procedure and *modus operandi*. Its procedures shall be simple and accessible.

315. Technical and administrative committees shall assist the Justice Committee in determining the nature and the extent of the individual damages and losses. These committees shall be

composed of, among others, specialized physicians, lawyers, Native Administration, the elders of the camps, representatives of the victims and other relevant experts. These committees shall work in close collaboration with the local government. The GoS undertakes to bear the expenses of their work.

TRUTH AND RECONCILIATION COMMITTEE

316. The Truth and Reconciliation Committee shall assess the root causes of the conflict in Darfur, investigate violations, crimes and human rights abuses including violations of economic, social and cultural rights committed from February 2003, address issues of impunity and build a culture of confidence, peace and reconciliation.

317. The TRC shall be composed of eminent personalities reflecting the ethnic and cultural diversity of Sudan, with due respect for gender balance. The membership of the TRC shall include members nominated by the Parties.

318. The TRC shall adopt its rules of procedure and *modus operandi*. These procedures shall be simple and accessible.

319. The TRC shall provide an opportunity for the victims and perpetrators of human rights violations as well as other citizens to share their experiences, establish a common understanding of the past, facilitate genuine healing within and among communities and promote reconciliation and prevention of atrocities in the future.

320. The TRC shall recommend measures towards comprehensive and lasting peace in Darfur and shall submit its findings and recommendations to the President of the Republic of the Sudan and the National Assembly of Sudan on an annual basis. It shall submit its final report to the President and the National Assembly of Sudan upon the completion of its mandate.

321. The Parties agree to request the assistance of the international community in providing the necessary financial and technical support for the work of the TRC.

ARTICLE 59: SPECIAL COURT FOR DARFUR

322. The Parties agree to call upon the Sudanese Judiciary to establish a Special Court for Darfur, which shall have jurisdiction over gross violations of human rights and serious violations of international humanitarian law committed in Darfur, since February 2003.

323. The GoS shall appoint the Prosecutor of the Special Court, and shall enable him/her to assume his/her role in bringing perpetrators to justice. The Prosecutor may refer cases to the national courts.

324. The Special Court shall apply the Sudanese criminal law, international criminal law and international humanitarian and human rights laws.

325. The GoS shall create conducive conditions to enable the Special Court to undertake its functions in conducting investigations and trials and shall provide the Court with the necessary resources to this end.

326. A team of specialized experts from the United Nations and the AU, selected in consultation with the GoS, shall observe the courts proceedings to ensure their proper conduct, in accordance with justice and equity rules, enshrined in International Law.

327. The Parties shall take all necessary measures to guarantee the protection and assistance of victims and witnesses, and ensure their full access to and participation in the justice process. The Parties shall abstain from any act that might discourage witnesses from testifying freely and without fear.

328. The GoS, with the support of the international community, shall establish a fund for legal aid and other related activities of the Special Court during investigations and trials.

ARTICLE 60: AMNESTY

329. In order to create a conducive environment for peace and reconciliation, the GoS shall grant a general amnesty in accordance with the Sudanese Constitution and Laws, to civil and military members, to prisoners of war and those sentenced from the Parties, and on this basis, release the prisoners of war.

330. The Parties agree that war crimes, crimes against humanity, crimes of genocide, crimes of sexual violence, and gross violations of human rights and humanitarian law shall not be included in the scope of application of the amnesty.

ARTICLE 61: PUBLIC SERVICES

331. In order to curb impunity, build confidence and strengthen the rule of law in Darfur and create conducive conditions for confidence-building and reconciliation, the GoS shall establish an independent, impartial, resourced and effective mechanism to identify and take appropriate action against individuals in the public service who have been proven guilty of committing abuses and violations of human rights and international humanitarian law.

CHAPTER VI: PERMANENT CEASEFIRE AND FINAL SECURITY ARRANGEMENTS

ARTICLE 62: GENERAL PRINCIPLES FOR PERMANENT CEASEFIRE AND FINAL SECURITY ARRANGEMENTS

The Permanent Ceasefire and the Final Security Arrangements shall be based on the following general principles:

332. The Darfur conflict cannot be resolved militarily and a durable solution can only be obtained through an inclusive political process;

333. Civilians in Darfur have the right to protection, including provision of specific measures for vulnerable groups such as women and children taking into account their special status in international law, and in recognition that they have suffered disproportionately during the conflict;

334. The importance of facilitating the mandate of UNAMID, including for the protection of civilians, as outlined in UNSCR 1769 (2007) and UNSCR 1935 (2010) respectively, and the Communiqué of the 79th Meeting of the AU PSC;

335. The imperative to refrain from all acts of violence against civilians, in particular vulnerable groups such as women and children, and from violations of human rights and international humanitarian law;

336. The need to address the urgent humanitarian crisis faced by the people of Darfur, including the guarantee of unrestricted humanitarian access to all areas;

337. Realising and supporting permanent peace in Darfur through, among other things, a comprehensive agreement and final security arrangements that address the root causes and the different aspects of the armed conflict.

338. Guaranteed free movement for individuals, goods and services in Darfur.

339. The necessity to have a strong professional and inclusive Sudanese Armed Forces (SAF) and other security institutions, capable of defending and maintaining the sovereignty and territorial integrity of the country.

PERMANENT CEASEFIRE

ARTICLE 63: PROHIBITED ACTIVITIES AND POSITIVE UNDERTAKINGS

340. In accordance with this Agreement, the Parties agree to immediately cease and refrain from any:

i. Acts of hostility, violence or intimidation against the civilian population in Darfur and IDPs;
ii. Activity that jeopardise the letter and spirit of this Agreement;
iii. Offensive, provocative or retaliatory actions, including hostile propaganda and the unauthorised redeployment and movement of forces, against another Party or any Movement party to the Darfur Peace Agreement (DPA), signed on 5 May 2006 in Abuja, Nigeria, or against the signatories to the Declaration of Commitment to the DPA (DoC DPA), signed thereafter;
iv. Recruitment or any other military activity within or in the proximity of IDP or refugee camps;
v. Acts of intimidation, hostility, violence or attacks against UNAMID personnel, installations or equipment, members of local or international humanitarian agencies including UN agencies, international organisations and non-governmental organisations, their personnel, installations or equipment, and members of the media;
vi. Actions that may impede or delay the provision of humanitarian assistance or protection to civilians and restrict free movement of people;
vii. Restrictions on the safe, free and unimpeded movement of humanitarian agencies;
viii. Use or laying of land mines;
ix. Acts and forms of gender-based violence and sexual exploitation;
x. Recruitment and use of boys and girls under age 18 by armed forces and armed groups in hostilities, in accordance with Sudan's obligations under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and obligations under Protocol II (1977) of Geneva Conventions of 1949;
xi. Other activities that could endanger or undermine the Parties' commitment to a complete and durable cessation of hostilities, including those activities that would be determined to be a violation of the ceasefire based on this Agreement; hostile propaganda against another Party or any armed group party to the DPA;
xii. Attempt by any Party to disguise its equipment, personnel or activities as those of UNAMID, the UN Agencies, the AU, the International Committee of the Red Cross/Red Crescent (ICRC) or any other similar organisation.

341. The Parties further undertake to ensure:

i. The free movement of people and goods;

ii. Unimpeded access of humanitarian assistance to the population in need and the protection of humanitarian workers and their operations in areas under their control;
iii. Full cooperation with UNAMID to implement its mandate;
iv. That the provisions of this Agreement are communicated, through the Parties' chain of command, to all elements of their armed forces, and armed groups under their control or influence including women, and that all such forces and groups shall comply with those provisions.
v. The disarmament and disbandment of armed militias in due time, and as a prerequisite for the implementation of comprehensive arms control measures to ensure security throughout Darfur;
vi. That the Ceasefire is not threatened by any foreign combatants present on Sudanese territory;
vii. That IDPs and other civilians in Darfur shall not be subject to harassment or arbitrary detention by the Government security organisations and the Movements; noting that such activities may be treated as violations of the Ceasefire;
viii. That all children, boys and girls, recruited by armed forces or armed groups, if any, are released unconditionally through the development of Action Plans;
ix. That all children, boys and girls, who are accused of crimes against international law after being unlawfully recruited by armed forces or armed groups are considered primarily as victims of violations against international law and not as alleged perpetrators.

ARTICLE 64: CEASEFIRE COMMISSION

342. The Ceasefire Commission, hereafter referred to as "the CFC", and the Joint Commission, hereafter referred to as "the Commission" shall be established as Ceasefire monitoring and verification mechanisms.

343. The CFC shall comprise the under listed components:

i. The CFC headquartered in El Fasher;
ii. The CFC Secretariat headquartered in El Fasher;
iii. Sector Sub-Ceasefire Commission (SSCFC);
iv. The Ceasefire Team Site Group (CTSG).

344. The CFC has the overall responsibility for the monitoring and implementation of the Permanent Ceasefire, and shall endeavour to make decisions by consensus. Where consensus cannot be reached, the CFC shall commit the issue for arbitration by the Commission. The Parties are responsible for implementing the Ceasefire Agreement and shall be obliged to adhere to the recommendations of the Commission.

345. Cognisant of the important role of women in peace making, adequate and effective representation of women shall be guaranteed by the Parties at all levels of the ceasefire mechanism.

346. The Parties shall guarantee UNAMID unimpeded freedom of movement in all areas and at all times in Darfur in the exercise of its mandate.

347. The Parties commit themselves to participating fully and actively in the CFC, the Sector Sub-CFCs and CTSGs and to supporting their work.

FUNCTIONS OF THE CFC

348. The functions of the CFC shall be to:

i. Monitor compliance of the Parties to their obligations under the Permanent Ceasefire and the conduct of the respective armed forces;
ii. Coordinate planning, monitoring and verification of the implementation of the Permanent Ceasefire;
iii. Define the routes for all movement of the Parties' forces in order to reduce risks of incidents; and approve all such movements which must be requested by the Parties with at least 72 hours notice;
iv. Support de-mining operations;
v. Produce, through its Chairperson, the master map showing disposition of the Parties, and Demilitarised Zones (DMZ) around IDP camps and hosting communities;
vi. Receive, verify, analyse and resolve complaints related to possible violations of the Ceasefire;
vii. Issue violation reports in the event that a Party commits any prohibited act, as stipulated in the Permanent Ceasefire;
viii. Assist in the dissemination of information about the Permanent Ceasefire;
ix. Serve as a channel of communication between the Parties;
x. Support the Disarmament, Demobilisation and Reintegration (DDR) of the ex-combatants as and when agreed by the Parties.

COMPOSITION OF THE CFC

349. The CFC shall be constituted as follows:

i. UNAMID Force Commander	Chairperson
ii. Three members from each Party	Members
iii. One Representative of the State of Qatar	Member

350. The Chairperson shall, as required, co-opt representatives of other components/sections of UNAMID i.e. Police, HLO, PAD, Legal office as members without voting right.

351. The Parties may decide on the number and composition of observers at a later date. Observers are an important facet for the implementation of the Permanent Ceasefire as they facilitate and advise the CFC and the Parties. They may include but are not limited to international/regional organisations or individual countries. Observers may attend open sessions and meetings of the CFC and Sub-CFCs. If deemed appropriate and agreed upon by the Parties, observers will be briefed on closed sessions/meetings.

CHAIRPERSON OF THE CFC

352. The UNAMID Force Commander shall be the Chairperson of the CFC, and in his absence, the Deputy Force Commander shall perform the duties.

DUTIES OF CFC CHAIRPERSON

353. The duties and responsibilities of the Chairperson shall include:
   i. Preside over all CFC meetings;
   ii. Define the CFC programme of activities;
   iii. Ensure implementation of the decisions and recommendations of both CFC and the Commission;
   iv. Order independent or supplementary investigations at CFC level whenever appropriate;
   v. Ensure the submission of weekly reports to the Commission;
   vi. Ensure that appropriate measures are taken for CFC members to respect the local laws and regulations, refrain from any action or activity incompatible with the impartial and international nature of their duties.

MEETINGS

354. CFC meetings shall be convened by the Chairperson or at the request of the Parties. The meetings shall be held at UNAMID Headquarters, El Fasher or in any other venue as shall be decided by the Chairperson. The meetings shall be conducted under the following guidelines:

   i. The agenda for the meeting shall be adopted at the beginning of the session;
   ii. The CFC deliberations and decisions are reached by consensus, but if the Parties are unable to reach an agreement on a matter before the CFC, the Chairperson shall refer the matter to the Commission for resolution. The Parties shall be obliged to adhere to the ruling of the Commission;

iii. At every session, minutes of meetings shall be signed by the secretary and authenticated by the Chairperson and brought to the next meeting for confirmation as a true record of the proceedings and shall be binding upon the Parties;
iv. Sub committees may be constituted for specific tasks whenever necessary and shall present their reports before the CFC for adoption/rejection;
v. Observers may make comments at the request of the Chairperson.

CODE OF CONDUCT

355. CFC members and observers will be expected at all times to adhere to the code of conduct which includes the following:

i. Dialogue and appropriate and polite language should be used as the guiding principle during deliberations;
ii. Any issues that Members wish to raise should be addressed to the Chair;
iii. Personal attacks or animosity shall not be accepted from any member;
iv. Punctuality shall be observed by all members;
v. No member of the CFC shall brief the press or issue statement on behalf of the CFC without prior authorisation by the Chairperson;
vi. Deliberations of the CFC are confidential and are shared only on a need to know basis;
vii. Avoid actions that may discredit any Party;
viii. Place the interests of the people of Darfur and other resident civilians, including women and children, ahead of personal considerations;
ix. Understand the CFC mandate and act within it.

356. The Chairperson shall exercise control over the CFC Secretariat and the subordinate level SSCFC as defined in this Agreement. The Sector Commanders and Chief of Staff CFC Secretariat shall be directly answerable to the Chairperson on the management of CFC resources put under their control.

357. The Sector Commanders shall exercise control of the SSCFCs and Ceasefire TSGs within their Areas of Responsibility (AORs) and remain answerable to the Chairperson. The SSCFC reports on violations shall be forwarded to the Chairperson through the CFC Secretariat.

SECTOR SUB-CEASEFIRE COMMISSION

358. Each sector shall establish and maintain Sector Sub-Ceasefire Commission inclusive of women to ensure an effective investigation and reporting cycle. The sectors shall establish a Secretariat to be headed by the Chief sub CFC modelled on the CFC Secretariat. Team site groups comprising various elements at sub-unit/unit levels, inclusive of women, shall be established as the primary sources of reporting incidents and investigating violations to the Permanent Ceasefire.

FUNCTIONS OF SSCFC

359. The main functions of the SSCFC are to:

i. Oversee compliance of the Parties to their obligations within the Sector AOR as per the Permanent Ceasefire;
ii. Consider, verify, investigate and report matters of disagreements and alleged violations between the Parties, in accordance with the Permanent Ceasefire;
iii. Implement CFC policy and directives;
iv. Report periodically and refer unresolved complaints to the CFC at FHQ with a full explanation as to the matter in dispute;
v. Assume responsibility for investigations of violations as stipulated in the Permanent Ceasefire;
vi. Assign tasks/missions to TSGs.

360. When consensus cannot be reached on a particular issue, it shall be forwarded to the CFC for resolution.

COMPOSITION

361. The SSCFC shall comprise the following members:

i. Sector Commander — Chairperson
ii. Two representatives from each party — Members
iii. Secretary
iv. Co-opted members from relevant UNAMID components who shall have no voting rights.

REPORTS

362. SSCFCs shall forward their reports covering ceasefire violations as clearly reaffirmed in the Permanent Ceasefire or in any other agreement in force to the CFC Secretariat by 1600 hrs daily. As a minimum, the report is to cover:

i. Nature/type of violation;
ii. When and where it occurred;
iii. Party/Parties involved;
iv. Confirmed or unconfirmed;
v. UNAMID actions;
vi. Any other relevant facts/information.

CEASEFIRE TEAM SITE GROUPS

363. The CTSGs provide SSCFC with situational awareness and serve as the first level of conflict resolution within the Mission. In recognition of the role that women must play in the peace and security process, women shall be included in all CTSGs.

364. The CTSGs are responsible for overseeing the compliance of the Parties to the ceasefire as enshrined in the Permanent Ceasefire within their areas of responsibility. This will be achieved through monitoring, patrolling, visiting, inspecting, liaising, investigating, verifying and reporting as directed and supervised by the SSCFC.

COMPOSITION OF CEASEFIRE TEAM SITE GROUPS

365. The CTSGs at sub-unit level shall be composed of:

i. Military Observer Team Leader - Chairperson
ii. Two Representatives from each Party - Members

ARTICLE 65: JOINT COMMISSION

366. The Joint Special Representative (JSR), UNAMID shall chair the Commission and in his/her absence, the Deputy JSR shall perform the duties. The Commission shall be composed of the following:

i.	UNAMID JSR	—	Chairperson
ii.	State of Qatar	—	Member
iii.	Three representatives from each Party	—	Members
iv.	League of Arab States (LAS)	—	Member
v.	European Union	—	Member
vi.	UNAMID Political Affairs	—	Secretary

367. The following countries shall enjoy observer status and may be called upon by the Chair to address the Commission as required:

i. Canada;
ii. China;
iii. Norway.

FUNCTIONS/TERMS OF REFERENCE

368. The Commission shall be established to resolve disputes among Parties referred to it by the CFC, and for ensuring the effective implementation of the provisions of the Final Security Arrangements.

369. The Commission shall perform the following functions:

i. Follow-up the implementation of the Permanent Ceasefire and the Final Security Arrangements established by this Agreement;

ii. Be responsible for the interpretation of provisions of the Permanent Ceasefire and the Final Security Arrangements, when necessary;

iii. Arbitrate irregularities and violations, and accept and decide upon complaints filed by the Parties and which cannot be suitably addressed by the CFC. All attempts will be made to investigate fully and resolve contentious issues collaboratively and by consensus at the lowest level;

iv. In case of gross violations, the Commission shall notify the African Union and the United Nations;

v. In accordance with the UNSCR 1325 (2000), the Commission shall ensure that all forms of violence that specifically affect women and children are heard and redressed in a gender sensitive and competent manner;

vi. Draw attention to any development that would impede or compromise the implementation of the Ceasefire and the Final Security Arrangements, and to take measures to avoid repetition;

vii. Make recommendations on appropriate measures that should be taken in respect of those responsible for violations of the Ceasefire;

viii. Any additional functions that the Commission may deem appropriate within the spirit of this Agreement.

MEETINGS

370. The Commission shall hold its meetings at the UNAMID headquarters in El Fasher or by exception in any other country agreed by the Commission.

371. The Commission shall meet on a monthly basis and shall issue a report after each meeting. The members shall be notified of the agenda and documentation at least seven days before each meeting. The Commission shall call emergency meetings, and forego this preliminary notification requirement, when deemed necessary. Any of the Parties may request the Commission to convene an emergency meeting when deemed necessary.

372. The Parties shall abide by and implement the Commission's recommendations on the measures taken in regard to ceasefire violations.

373. The Parties shall circulate to their members and constituencies, the reports of the Commission.

374. The Commission shall issue regular public statements on progress towards implementing the relevant provisions of this Agreement.

375. The Commission shall make its decisions by consensus. Where consensus cannot be reached by the Parties, the Chairperson with the international members of the Commission, and in consultations with the Observers, shall make a decision in the best interest of maintaining the ceasefire and the decision shall be binding on the Parties.

FINAL SECURITY ARRANGEMENTS

ARTICLE 66: DISENGAGEMENT, REDEPLOYMENT AND LIMITED ARMS CONTROL

GENERAL PROVISIONS

376. The Parties understand that ceasefire requires appropriate processes of military disengagement, redeployment of forces and limited arms control.

377. The ceasefire shall take place in incremental steps and on a reciprocal basis, with appropriate security guarantees and through agreements reached in the CFC and with verification by UNAMID.

378. The CFC shall be responsible for planning, co-ordination, management and supervision of the processes. The CFC shall oversee the implementation of decisions and agreements.

379. The processes shall occur in the following sequence:

i. Preparation for disengagement and redeployment including verification;

ii. Phase 1: Disengagement;

iii. Phase 2: Redeployment;

iv. Phase 3: Arms Control.

380. The Parties shall inform their field commanders of all the components of the plans and the rules relating to these phases and shall ensure compliance with these rules.

381. The Parties shall inform the Chairperson of the CFC of the exact locations of their forces and these shall be indicated clearly on maps to be attached as an annex to a copy of the Agreement to be confidentially kept by UNAMID. These locations shall be subject to verification by UNAMID and will be indicated on a Master Map.

382. The Parties shall be bound by the Master Map as determined in the first instance by UNAMID. The Map may be modified thereafter by the Chairperson of the CFC in consultation with the Parties.

383. The Chairperson of the CFC shall provide the Parties with adjusted maps of the Movements' camps, DMZs, Demilitarised Humanitarian Supply Routes, Buffer Zones, and Redeployment Areas.

384. The Parties shall be bound by the main rules for movement of troops, arms, provisions and supplies in accordance with the following:

i. A notification shall be given, 72 hours in advance, to the CFC and shall be approved by CFC for the movement of armed soldiers during the first phase (Disengagement) and the second phase (Redeployment);

ii. A notification shall be given, 72 hours in advance, to the CFC and shall be approved by CFC for the movement of Class V and Class VII (ammunition and weapons systems) to, within and from the area(s), during the first phase (Disengagement) and the second phase (Redeployment);

iii. For ordinary supplies to and from these areas during these phases, Class I (food and water), Class II (equipment and medical supplies), Class III (fuel, oil and lubricants) and Class IV (construction materials) only notification to the CFC 72 hours in advance is necessary.

385. Concentration and deployment of forces by the GoS and utilisation of access routes including DMZs and buffer zones, for the purpose of border protection in Darfur shall not be subject to any restriction. However, in the event that the deployment entails entry into an area controlled by a Movement's forces, the GoS shall notify the Party concerned.

386. Concentration and deployment of forces by the Movements and utilisation of access routes for the purpose of protecting this Agreement against any hostile activities shall be subject to approval by the CFC and notification to, and monitoring by UNAMID.

387. Government forces may not enter any DMZ or buffer zone or redeployment area or assembly area of a Movement's forces without the written permission of the CFC.

388. Any breach of the rules relating to the disengagement, redeployment and limited arms control processes presented in this Chapter is a violation of the ceasefire.

ARTICLE 67: PREPARATION FOR DISENGAGEMENT AND REDEPLOYMENT

DECISION-MAKING AND COMMUNICATION

389. In preparation for disengagement and redeployment, the CFC shall endeavour to make decisions and resolve disputes by consensus.

390. Where the Parties are unable to reach consensus, the Chairperson of the CFC shall refer the dispute to the Commission for its decision. The Parties shall be bound by decisions taken by the Commission.

391. The Chairperson of the CFC shall ensure that all decisions and agreements relating to DMZs, Buffer Zones and Redeployment Areas are demarcated clearly on maps with precise GPS co-ordinates. The Chairperson shall ensure that the Parties have the same maps with the same demarcations.

392. The Chairperson of CFC shall establish, in coordination with the Government, a system for an effective and secure communications procedure between the CFC and the Parties.

VERIFICATION

393. For the purpose of implementing the overall final security arrangements, UNAMID shall verify information submitted by the Parties; including the exact locations and equipment thereof, number and types of weapons, strength of their forces including the presence of any children among their ranks and other information that UNAMID or CFC may request. This information shall be confidential throughout the preparatory, disengagement, redeployment and limited arms control phases. The information shall be restricted to the Chairperson of the CFC only, until the beginning of the integration and demobilisation phase.

394. The verification process of the Movements' forces and their areas of control shall be limited to units no smaller than company level, normally 150 (one hundred and fifty) soldiers or sub-units with equivalent capability. Uninterrupted duration of control by such unit/sub-unit is a condition for the area to qualify as being under the control of the Movements.

PLANS

PHASE ONE: DISENGAGEMENT

395. The process of disengagement shall include the following steps:

i. Movements and activities of the Parties shall be confined to the areas allocated for the Parties as demarcated and shown on the Master Maps;
ii. In consultation with the Parties, the Chairperson of CFC shall establish DMZs around IDPs camp sites and host communities and along selected humanitarian supply routes;
iii. After consultation with the Parties, the Chairperson of CFC shall establish buffer zones in between forces of the Parties and areas experiencing intense conflicts, where necessary;
iv. The Parties shall ensure that the armed and militias groups under their control of influence are committed to and comply with the ceasefire;
v. No Party shall undertake any military activities or establish any new armed group or militia.

PRESENCE OF FOREIGN ARMED COMBATANTS IN DARFUR

396. The presence of foreign armed combatants in Darfur is a serious challenge to peace and security and constitutes a potential threat to this Agreement. Consistently with paragraph 385, the GoS shall take appropriate measures to control, disarm, neutralise and repatriate these groups.

397. The Parties note the action being taken in collaboration with neighbouring countries to control the presence of foreign armed combatants in Darfur and agree to support the initiative.

PHASE Two

REDEPLOYMENT

398. The process of redeployment involves the following activities:
i. The Chairperson of the CFC, in consultation with the Parties, shall establish buffer zones and Redeployment Areas.
ii. The Parties shall redeploy their forces and their weapons away from the buffer zones and into their respective Redeployment Areas.
iii. UNAMID shall monitor the buffer zones and conduct patrols therein.
iv. The restoration of provision of basic services and access to basic services for civilians.

DISARMAMENT OF ARMED MILITIA GROUPS

399. All armed militia groups shall be disarmed and disbanded as a prerequisite for the implementation of comprehensive arms control measures, to ensure security throughout Darfur. The GoS shall be responsible for the disarmament of the armed militia. In this regard, the GoS shall present a comprehensive plan to the CFC for the disarmament and disbandment of armed militia, and for combating illegally armed persons, bandits and other outlaw groups both foreign and local operating in Darfur. The plan shall include measures to be taken to complete

the exercise before the start of the integration phase. The plan shall also include measures for the rehabilitation and socio-economic reintegration of members of these disbanded groups, and the separation of men and women in assembly areas.

400. This plan shall be presented to the Chairperson of the CFC for review and approval before the commencement of the phase 1, and implemented according to the timetable of the plan.

401. The CFC shall monitor and verify the disarmament and disbandment of the militia groups, and the combating of illegally armed persons, bandits and other outlaw groups, in accordance with the agreed plan.

PHASE THREE:

LIMITED ARMS CONTROL

402. Following the redeployment of the Parties' forces into their respective Redeployment Areas and before assembly of the Movements' forces, the following limited arms control measures shall take place:

i. The Movements shall store their long-range and crew-assisted weapons, artillery and relevant munitions in secure locations designated by the Chairperson of the CFC. UNAMID shall carry out inspection at the unit level. The Movements' combatants shall retain personal weapons until the commencement of integration into the SAF and the Sudan Police Forces (SPF);

ii. In consultation with the Parties, UNAMID shall prepare the sites for temporary storage of long-range and crew assisted weapons, artillery and related munitions and monitor the storage of weapons and munitions that have to be held subject to the inspection of UNAMID;

iii. The Chairperson of the CFC shall oversee the arms control process and determine the requirements and procedures for holding and inspection, including the precise designation of the weapons, artillery and munitions to be stored.

JOINT COORDINATION MECHANISM

403. For the purpose of confidence-building and maintaining security in Darfur, the Parties shall establish a Joint Coordination Mechanism (JCM), after the verification of the Movements' forces. The JCM shall remain in force until the commencement of the integration process, and shall function under the strict guidance of the CFC.

404. The JCM shall perform the following functions:

i. The coordination of efforts and steps in addressing any potential threat to the implementation of this Agreement;

ii. The exchange of intelligence and other relevant information;

iii. The supervision of measures to organise the Movements' forces and the maintenance of their security in the redeployment areas and assembly areas;

iv. The facilitation of the distribution of Non-military Logistical support as agreed upon by the Parties and in collaboration with the Joint Logistics Coordination Committee (JLCC);

v. The facilitation of the dissemination of the terms of this Agreement to field commanders and forces under their command and the sequence of the phases of its implementation;

vi. Any other tasks as shall be agreed upon.

ARTICLE 68: DEMILITARISED ZONES AND BUFFER ZONES

GENERAL COMMITMENTS

405. The Parties reaffirm their commitment to:

i. Respect the rights of civilians including the IDPs and refugees;

ii. Refrain from activities that would undermine the safety, welfare and security of civilians and IDPs;

iii. Refrain from activities that would undermine or endanger humanitarian operations in Darfur;

iv. Create an enabling environment for the safe voluntary and sustainable return of IDPs and refugees to their places of origin;

v. Provide special protection for women, disabled persons, children including those associated with the armed forces and armed groups, and other persons with special needs.

DEMILITARISED ZONES

406. Without prejudice to paragraph 385, the Demilitarised Zones shall be an area subject to the following rules:

i. There shall be no forces in this zone of any Party or any other armed group or militias except by permission of the CFC and escorted by UNAMID;

ii. There shall be no carrying of weapons by any persons except with the permission of the CFC and escorted by UNAMID;

iii. The perimeter of a DMZ shall not include any urban area, approaches to an airport or urban security plan locations that are the full responsibility of the GoS;

iv. The Chairperson of the CFC shall determine the borders of the DMZ following consultation with the Parties;

v. The Chairperson of the CFC in consultation with the members of the CFC shall decide whether the redeployment process of the forces related to any Party is a necessary measure;

vi. The Chairperson of the CFC shall, in consultation with the members of the CFC decide the measures connected to any required redeployment in addition to the timetable pertaining to this redeployment;

vii. The CFC shall consider any violation pertaining to the DMZs as ceasefire violation.

407. UNAMID shall have the following responsibilities in relation to DMZs surrounding IDP camp sites and hosting communities and humanitarian supply routes:

i. UNAMID and the SPF, in the GoS areas of control and the Movements' Liaison Officers, in areas where the CFC verifies and recognises the Movements' control, shall develop a plan for patrolling and monitoring the DMZs around IDP camps and shall oversee the implementation of the plan;

ii. DMZs falling within areas of control of the GoS shall be patrolled by units of UNAMID and the SPF. Executive policing functions shall be carried out by the SPF under the monitoring of UNAMID;

iii. DMZs falling within areas where the CFC verifies and recognises the Movements' control shall be patrolled by units comprising UNAMID and the Movements' Liaison Officers.

BUFFER ZONES

408. The CFC shall develop a plan including rules and procedures for patrolling and monitoring the Buffer Zones and shall oversee its implementation.

ARTICLE 69: NON-MILITARY LOGISTICAL SUPPORT TO THE MOVEMENTS

409. The Movements may request non-military logistical support and the GoS shall provide such support and may ask international partners to assist in this regard.

410. A Joint Logistics Coordination Committee shall be established by UNAMID and be composed of the Parties, UNAMID and representatives of the donors that may provide such assistance. The modalities of the support shall be determined by the Committee.

411. The terms of reference of the JLCC shall include the following:

i. Gather and collate data on the logistical requirements of the Movements' forces in terms of food, water, shelter, clothing and medical supplies/treatment and transportation needs as determined by the JLCC;

ii. Receive and store logistical supplies from international donors;

iii. Place orders for logistical supplies in appropriate quantity and quality;

iv. Distribute logistical supplies to the Movements' forces through distribution points or centres in the redeployment areas and assembly areas;

v. Determine the rules and procedures that govern the provision of non-military logistical supplies to the Movements' forces.

412. The following conditions shall be fulfilled for such support to be provided:

i. The number and location of combatants including the presence of children, if any, among the ranks, is given to the UNAMID Force Commander and verified in accordance with paragraphs 393 & 394;

ii. Accessible locations for sizeable number of combatants are identified and agreed upon.

ARTICLE 70: SECURITY OF IDP CAMPS AND HUMANITARIAN OPERATIONS IN DARFUR

413. The GoS shall, in consultation with the DRA, recruit male and female volunteers from the local communities, IDPs and returning refugees into the Community Police, to participate in maintaining the security and safety of the IDPs' camps and voluntary return villages. The UNAMID shall contribute in training the community police.

414. The Parties agree to refrain from acts that might jeopardize the humanitarian operations in Darfur and restate commitment to create appropriate security conditions for the unimpeded flow of humanitarian assistance and goods, guarantee security in IDP camps and the creation of an atmosphere conducive for the safe voluntary and sustained return of IDPs and refugees to their areas of origin.

415. The Parties' forces shall refrain from activities that would undermine the safety, welfare and security of IDPs.

ARTICLE 71: CIVILIAN ARMS CONTROL

416. Owing to the proliferation of small arms in the hands of civilians in Darfur, the Parties, with the support of UNDP and UNAMID, shall develop a strategy and plans for the implementation of a voluntary civilian arms control programme.

417. The GoS shall mobilize resources for the civilian arms control programmes. The GoS may seek assistance from international organizations.

ARTICLE 72: DISARMAMENT, DEMOBILIZATION AND REINTEGRATION, AND INTEGRATION OF FORMER COMBATANTS INTO THE SUDANESE ARMED FORCES AND POLICE FORCES

GENERAL PROVISIONS

418. The Disarmament, Demobilization and Reintegration (DDR) and Integration-process shall take place within the designated assembly areas after phase III, with only those former combatants that have been verified as part of the Movements' forces. UNAMID, in consultation with the Movements, shall develop a plan for the assembly areas to include:

i. The size, number and locations of the assembly areas;
ii. Desired characteristics of the assembly areas, taking into account the specific needs of female former combatants;
iii. Accessibility for the provision of logistical support;
iv. UNAMID shall present this Plan to the CFC for approval. The CFC shall designate the assembly areas in the light of the plan.

419. The Movements shall be responsible for the administration, discipline and internal security of former combatants in the assembly areas.

420. Long-range, artillery, crew-served weapons and relevant munitions shall not be moved into the assembly areas.

421. Logistics support shall be provided for the establishment of the assembly areas and during the processes of disarmament and demobilization, and integration.

422. On the completion of the verification and registration process and the establishment of assembly areas, the Movements' combatants that have been so verified and registered shall move into the assembly areas with only small arms. UNAMID shall support and monitor the process.

423. The GoS shall provide former combatants who wish to return to civilian life or do not meet the eligibility criteria for entry into the SAF and the SPF with social and economic reintegration opportunities.

424. Fairness, transparency and equity shall be ensured in determining the eligibility of former combatants targeted for assistance.

425. Former combatants shall be treated equally irrespective of their previous Movements' affiliation. They shall also be empowered by provision of training and information to voluntarily choose their path to reintegration. The reintegration process shall be community based and benefit both returnees and local communities.

426. Reintegration programme shall be designed to be sustainable over the long-term and include follow-up monitoring and continuing support measures as needed.

427. The reintegration programme shall encourage the participation of the communities and civil society organizations including women groups, with the view to strengthening their capacity to play their role in improving and sustaining the social and economic reintegration of former combatants.

428. The GoS shall provide financial and logistical support for the DDR and Integration programme and may seek to mobilize support from the international community.

429. Specific resources shall be mobilized and set aside to address the special reintegration needs of women.

DISARMAMENT AND DEMOBILIZATION

430. Parties agree that the North-Sudan DDR Commission shall be re-established to reflect new realities. The Commission shall be expanded to include representatives from the Movements.

431. UNAMID shall conduct the verification of Movements' forces concurrently in all the areas.

432. The DDR Commission, with the assistance of UNAMID and other relevant UN Agencies, shall develop plans including the timing and sequencing of phases of DDR of former combatants.

433. The Parties shall assemble their former combatants. However, care shall be taken for disarmament and demobilization to be done in accordance with the following:

i. Awareness and sensitisation of the leadership and their forces on disarmament, demobilization, reintegration and the peace process as well as their roles and responsibilities;
ii. The Parties shall decide on the criteria of eligibility for the process of disarming the combatants who are not integrated;
iii. The Parties shall ensure that the duration of the release process of all child combatants, if any, is as brief as possible and not dependent on any release or demobilization of adults. The safety and dignity of the child and his/her need for confidentiality must be primary considerations. Children should be rapidly separated from adult fighters and handed over to an appropriate, mandated and independent civilian process;
iv. The Parties shall not transfer former combatants who are below the age of 18 to the assembly areas. Rather, they shall be released and demobilized separately before the signing of this Agreement;
v. The Parties shall begin, as a matter of priority, the process of demobilization and reintegration of special needs groups, which includes disabled ex-combatants and women.

ARTICLE 73: SOCIAL AND ECONOMIC REINTEGRATION OF EX-COMBATANTS INTO CIVILIAN SOCIETY

434. Disarmed and demobilized ex-combatants shall be socially and economically reintegrated into the civilian society. The GoS shall mobilize its own resources as well as seek assistance from the international community and assume the responsibility to reintegrate ex-combatants into civilian life through proper social and economic reintegration programmes.

435. The programme for the disarmament, demobilization and reintegration of former combatants shall also contain a community-based approach, including community violence reduction measures, in accordance with local conditions, in order to further the goal of disarmament, demobilization and reintegration.

436. Principles of fairness and transparency, equality and integrity shall be followed in the social and economic reintegration of ex-combatants. Moreover, former combatants shall be treated equally irrespective of their former association with any of the Movements.

437. The process of reintegration shall be community-based so that both the returnees and the local communities will benefit from it.

438. It is imperative that social and economic reintegration of ex-combatants assures the participation of local communities and civil society organizations including women groups, towards enabling them to play their role in the sustainability of the social and economic reintegration of boys and girls associated with armed forces and armed groups and other vulnerable conflict affected children.

439. Reintegration programmes must be inclusive to support boys and girls who have left armed forces or armed Movements through formal and informal processes, as well as other vulnerable conflict affected children in need of protection, such as girl mothers.

440. Priority shall be to address the social and economic reintegration of Special Needs Groups such as women combatants and women associated with armed Movements, in particular widows, boys and girls associated with armed forces and armed Movements and other vulnerable conflict affected children, disabled combatants and the elderly.

441. Efforts shall be made to realize the long term sustainability of reintegration through community-based approach. These efforts are to include follow-up action, monitoring measures and ongoing support, as required.

ARTICLE 74: INTEGRATION OF FORMER COMBATANTS INTO THE SUDAN ARMED FORCES AND POLICE FORCES

INTEGRATION PRINCIPLES

442. An agreed number of eligible combatants from the Movements' forces shall be integrated into the SAF and the SPF. The number shall be determined by the Parties with the assistance of the ITC.

443. The GoS shall provide support and training for former combatants, including accelerated training, which are necessary to ensure fulfilment of the eligibility criteria for capacity enhancement and promotion to higher ranks.

444. The GoS in consultation with the Movements may ask UNAMID, the donors and the international partners to create opportunities for training and professionalization within its training institutions in favour of former combatants, including officers, non-commissioned officers, soldiers and the police to enhance their professional expertise.

445. Former combatants integrated into the SAF and SPF shall be excluded from any downsizing process of the SAF and SPF during the first six years of service, except for those that have violated the regulations and code of conduct of these institutions.

446. Former combatants, male and female, who do not wish to join the Sudanese Armed Forces and Police Forces but expressed the desire to join the civil service, shall be referred to the NCSC as decided by the DDR Commission for assessment and placement.

447. The GoS shall act towards having a number of former combatants occupy posts in the Office of the Chief of Staff, divisional general commands at the level of the higher commandment of the SAF, brigade commands, the Ministry of Defence, the Ministry of Interior, the headquarters of the higher police command in the capital, in Darfur States, and in other parts of Sudan, according to the criteria applicable in the SAF and the SPF.

DARFUR SECURITY ARRANGEMENTS IMPLEMENTATION COMMISSION

448. The Darfur Security Arrangements Implementation Commission (DSAIC) shall be established by the DRA. As a subsidiary body of the DRA, the DSAIC shall coordinate the implementation of the security arrangements provisions of this Agreement.

449. The Commission shall establish an Integration Technical Committee (ITC) to design, plan, implement, manage, and monitor the integration programme of former combatants.

450. The membership of the ITC which shall include women shall consist of UNAMID, representatives of the Parties and technical experts from a country or countries acceptable to the Parties.

451. DSAIC members shall include the representatives of the Governors of the three Darfur States, a representative of the Chief of Staff of the SAF, a representative of the National Council for DDR Coordination, representatives of the Movements and representatives of UNAMID, and other persons required to implement integration. The Chairperson of the DSAIC shall be appointed by a Presidential Decree in consultation with the Chairperson of the DRA.

452. All subsidiary bodies established by the DSAIC shall include representatives from the entities that make up the membership of the DSAIC.

453. Women shall be fairly represented in the DSAIC and the subsidiary bodies it establishes. These bodies shall develop mechanisms to ensure that their work incorporates appropriate input from women on issues of special concern to women and children.

THE INTEGRATION PLAN

454. The Integration programme shall be phased as defined by the ITC.

455. The Parties agree to determine the number of male and female former combatants to be integrated in the SAF, the SPF and selected civil services on the basis of the verified number of the Movements' forces.

456. The integration of the Movements' forces into the SAF and the SPF shall include a vetting process agreed upon by the Parties and monitored by the ITC, and shall be guided by the following criteria:

i. Sudanese nationality;
ii. Age (shall not be less than 18 or has attained retirement age);
iii. Medical and mental fitness subject to ITC determination;
iv. Combat experience;
v. No previous criminal conviction;
vi. Voluntary consent of the individual.

457. Criteria guiding the integration of officers shall include, in addition to the above, the following:

i. Academic qualification (a minimum of secondary school certificate. The ITC could make exceptions for a considerable number of field commanders);
ii. Combat experience;
iii. Age;
iv. Not to have been dismissed due to incompetence.

458. The former combatants who have been integrated shall be subjected to military training in accordance with the requirements of each unit.

459. The number of officers agreed upon for integration shall be proportional to the total number of non-commissioned officers and soldiers in accordance with the organizational structure of the SAF and SPF.

460. Officers and non-commissioned officers who are entering the military and police forces for the first time will be subjected to a period of training based on the curriculum of courses in the respective forces.

461. The following criteria shall guide the process of determining ranks:
i. Age;
ii. Training and combat experience;
iii. Academic qualifications;
iv. Former military and police officers dismissed because of the conflict in Darfur shall be

returned to their former ranks in the first instance and thereafter given the ranks of their course mates after passing the required competency based tests;

v. Any other applicable criteria agreed upon by the Parties.

462. The GoS shall provide standardized training to those ex-combatants above age 18 selected for integration into the SAF and the SPF.

REFORM OF SOME MILITARY INSTITUTIONS

463. The Parties recognize the need for reform and development of military institutions in Darfur in order to improve their capacity, effectiveness and professionalism and to strengthen the rule of law in accordance with accepted standards.

464. The GoS shall submit a plan, including timelines, for the reform, development and restructuring of the identified military institutions to the DSAIC to monitor its implementation. The GoS may source funding and experts to support this exercise from within and outside Sudan.

TIMEFRAME AND SEQUENCING OF ACTIVITIES

465. The phases shall be undertaken according to the following timelines:

i. The preparatory phase shall be completed 7 days after the signing of this Agreement;
ii. Phase 1 on disengagement shall commence immediately after the completion of the preparations and shall be concluded within 45 days;
iii. Phase 2 on redeployment shall commence immediately after the completion of Phase 1 and shall be concluded within 45 days;
iv. Phase 3 on limited arms control shall commence immediately after the completion of Phase 2 and shall be concluded within 30 days;
v. The integration, disarmament, demobilization and reintegration of former combatants shall commence immediately after the completion of Phase 3.

466. In consultation with the Parties, the Chairperson of the CFC may amend this schedule if so required for security, logistical or other reasons.

OTHER PROVISIONS

ARTICLE 75: SETTLEMENT OF DISPUTES

467. Any disagreement or dispute over the interpretation of the final security provisions or any of the existing ceasefire agreements shall be referred to the Commission which shall make its decisions by consensus.

468. Where consensus cannot be reached by the Parties, the Chairperson of the Commission shall, together with the international members and in consultation with the observers of the Commission, make a decision in the best interest of maintaining the ceasefire, and the Parties shall abide by the decision.

CHAPTER VII: INTERNAL DIALOGUE AND CONSULTATION AND IMPLEMENTATION MODALITIES

ARTICLE 76: DARFUR INTERNAL DIALOGUE AND CONSULTATION

469. The Parties fully recognize the important role that the Darfur stakeholders have played in the Doha peace process.

470. The Parties agree that the outcomes of the various consultations and discussions held in and outside Darfur/Sudan, including the Doha Forums I and II, and the ADSC, on issues relating to the root causes and consequences of the conflict have enriched the negotiations that led to the signing of this Agreement.

471. The Parties stress the necessity for the continuation of the dialogue and consultation within Darfur, in order to consolidate peace and promote reconciliation and healing.

472. The Parties therefore agree that a Darfur Internal Dialogue and Consultation (DIDC) shall be conducted, in accordance with the provisions of this Agreement.

TERMS OF REFERENCE

473. Primarily, the DIDC will, through popular consultation and dialogue seek to consolidate peace in Darfur, promote confidence-building and encourage reconciliation as well as unity among the people of Darfur and Sudan in general. Specifically, the DIDC will aim at:

i. Widening ownership for this Agreement and mobilizing support for its implementation;
ii. Addressing issues related to civic responsibilities, democratic values and practice as well as peacebuilding;
iii. Enhancing time tested traditional practices regarding settlement of local disputes, land ownership, pastures, transhumance, water and natural resources etc. ... ;
iv. Promoting inter-tribal and inter-communal peace, reconciliation and harmonious coexistence;
v. Enhancing the status of Native Administration including restoring its authority and building its capacity;
vi. Raising awareness and mobilizing support for all measures taken regarding civilian arms control, the promotion of women, youth development, the safe return of IDPs and refugees and their reintegration into the society, property restitution and compensation, as provided for in this Agreement; and

vii. Bringing about a social and political rejuvenation in Darfur and helping the people to come to terms with their immediate past and forge ahead.

FACILITATION OF THE DIDC

474. The Parties agree that the DIDC shall be facilitated by UNAMID, the AU and the State of Qatar. These entities are requested to develop the modalities and the mechanisms for the conduct of the DIDC as well as the timelines within which it will take place. The Parties undertake to take necessary steps to create the enabling environment to enhance the credibility of the process and outcome of DIDC.

475. Representatives of the Parties and other interest groups shall be fully represented in the mechanisms.

476. As an advisory mechanism and a vehicle for social and political transformation, the DIDC process is expected to have an immediate impact in mending the social fabric, casting individual and collective mindset towards peaceful coexistence and reconciliation, and shaping the future of the people of Darfur. The outcomes of the DIDC, which shall be in the form of best practices and lessons learned, shall be formally submitted to the GoS, the DRA, and the DSG.

LOGISTICAL SUPPORT AND FUNDING

477. UNAMID shall provide logistical support for the work of the Mechanism and the conduct of the DIDC, within its capabilities. It is the responsibility of the Parties to establish an enabling environment in order to guarantee full participation of all stakeholders and the successful conduct of the DIDC. UNAMID will also assist in developing a communication strategy to ensure that information about the DIDC and the actual process is widely disseminated within and outside Darfur and Sudan, and also properly documented and archived.

478. The GoS and the international donors will be invited to contribute towards funding the DIDC. Funds shall be held in a special trust fund established for purposes of the DIDC.

ARTICLE 77: IMPLEMENTATION FOLLOW-UP COMMISSION

479. An Implementation Follow-Up Commission (IFC) is established in accordance with the provisions of this Agreement to:

i. Monitor and assess the implementation of this Agreement;

ii. Assist in the provision of funding and technical assistance to bodies established by this Agreement; and

iii. Support the implementation of this Agreement in accordance with the agreed timelines.

COMPOSITION OF THE IFC

480. The IFC is composed of the following members who have expressed commitment to support the implementation of this Agreement:

i.	Representative of the State of Qatar	-Chairperson
ii.	Two (02) Representatives from the GoS	-Member
iii.	Two (02) Representatives from the Movements	-Member
iv.	Representative of the AU	-Member
v.	Representative of the UN	-Member
vi.	The JSR and Head of UNAMID	-Member
vii.	The Former AU-UN Joint Chief Mediator	-Member
viii.	Representative of the LAS	-Member
ix.	Representative of the EU	-Member
x.	Representative of the OIC	-Member
xi.	Representative of Canada	-Member
xii.	Representative of France	-Member
xiii.	Representative of Japan	-Member
xiv.	Representative of the Arab Republic of Egypt	-Member
xv.	Representative of the People's Republic of China	-Member
xvi.	Representative of the Republic of Chad	-Member
xvii.	Representative of the Russian Federation	-Member
xviii.	Representative of the United Kingdom	-Member
xix.	Representative of the United States of America	-Member

481. The inaugural meeting of the IFC shall be convened by the State of Qatar as the Chairperson.

FUNCTIONS OF THE IFC

482. The IFC shall perform the following functions:

i. Monitor, document and follow-up the implementation of this Agreement on an on-going basis;

ii. Maintain close contact with the Parties to promote full commitment to all the provisions of this Agreement and facilitate the Parties' efforts towards this end;

iii. Plan and oversee the provision of technical assistance and support for post-conflict activities, as well as for the establishment and functioning of bodies provided for in this Agreement including, but not limited to, the provision of capacity-building, training as well as provision of resources, experts and advisers;

iv. Assess and evaluate progress made in the implementation process and advise the Parties of any development that could cause delay and propose appropriate measures in this regard;

v. Assist in providing the required political and material support towards the full implementation of this Agreement;

vi. Any additional functions that the IFC and the Parties may deem appropriate and which are in conformity with the letter and spirit of this Agreement.

MEETINGS OF THE IFC

483. The IFC shall meet quarterly and issue a report after each meeting. The IFC shall convene emergency meetings whenever deemed necessary. Any of the Parties may request the Chair of the IFC to convene an emergency meeting.

484. UNAMID shall establish a Secretariat to support the functions and activities of the IFC.

485. The IFC shall adopt its own rules of procedure.

ARTICLE 78: FINAL PROVISIONS

486. The annexed implementation timetable is an integral part of this Document.

487. Upon its adoption by the Parties, this Document shall have constitutional status. This status shall be stated in the National Constitution.

Draft implementation timetable

A. Power sharing

Serial No.	Activity	Reference	Body/ies/parties responsible	Timeline	Composition	Funding source(s)	Procedures
1.	Appointments in the Presidency (VP, DRA Chairperson, Assistants and Advisers to the President)	Paragraphs 39, 66, 40	Presidency	D + 30 days			By Presidential Decree
2.	Appointment in the National Council of Ministers (Ministers and Ministers of State)	Paragraph 42	Presidency	D + 30 days			By Presidential Decree
3.	Establishment of the DRA	Paragraphs 59 to 62	Presidency	D + 30 + 30 days			By Presidential Decree
4.	Establishment of the Panel of Experts by the JSC	Paragraph 46	JSC	D + 90 days			By the Chairperson of the JSC
5.	Establishment of the Panel of Experts by the NCSC	Paragraph 51	NCSC	D + 90 days	Substantial representation from Darfur including at senior level	GoS	By the Chairperson of the NCSC
6.	Completion of the demarcation of the northern borders of Darfur	Paragraph 81	GoS	D + 180 days			The JTC will carry out the demarcation exercise
7.	Representation of Movement(s) in State Executive	Paragraph 82	GoS and DSG	D + 90 days		States budget	As per additional protocol
8.	Representation of Movement(s) in National & State Legislatures	Paragraphs 43, 82	GoS/States	D + 90 days		National & States budgets	As per additional protocol

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Serial No.	*Activity*	*Reference*	*Body(ies)/party(ies) responsible*	*Timeline*	*Composition*	*Funding source(s)*	*Procedures*
9.	Representation of Movement(s) in the Darfur Local Government (Localities)	Paragraph 87	GoS and DSG	D + 90 days		GoS	As per additional protocol
10.	Affirmative action with regard to Higher Education	Paragraphs 89 to 93	GoS	D + 90 days			By Presidential Decree
11.	Representation of the Movement(s) in the SAF and SPF and other regular forces	Paragraphs 57, 58	GoS	D + 40 days onwards			

B. Wealth sharing

Serial No.	*Activity*	*Reference*	*Body(ies)/ party(ies) responsible*	*Timeline*	*Composition*	*Funding source(s)*	*Procedures*
12.	Adoption and implementation of integrated projects for the development, stability and settlement of nomads, raising the productivity of this sector and regulating the relationship between farmers and herders to ensure security, stability and development for all	Paragraph 98	GoS/DRA/ DSG	D + 90 days onwards		GoS/DRA	Identifying specific projects and conducting economic studies to be applied
13.	Developing policies and conducting necessary studies for putting an end to environmental degradation and preserving natural resources	Paragraph 172 (i)	GoS/DRA/ DSG	D + 90 days onwards		GoS/ DRA/DSG	

Serial No.	Activity	Reference	Body(ies)/ party(ies) responsible	Timeline	Composition	Funding source(s)	Procedures
14.	Developing policies to enable the female element as a working force in Darfur and build their productive capacities especially the returnees among them	Paragraph 141 (iii)	DRA/DSG	D + 90 days onwards		DRA/DSG	
15.	Developing and implementing policies to encourage exports from Darfur to national and international markets, and to encourage the specialized commercial and governmental banks to expand their activities in Darfur	Paragraphs 114 & 116	GoS/DRA/ DSG	D + 90 days onwards		GoS/ DRA/DSG	
16.	Developing and implementing policies that lead to the development of the educational system, provide education and training for Darfur citizens and the elimination of illiteracy among women	Paragraph 117	GoS/DRA/ DSG	D + 90 days onwards		GoS/ DRA/DSG/ donors	
17.	Promoting research and development, especially in the development of technology in the areas of agriculture, animal husbandry, small industries and handicrafts, mining, environment and energy, with a focus on renewable energies	Paragraph 118	GoS/DRA/ DSG	D + 90 days onwards		GoS/ DRA/DSG/ donors	

Serial No.	*Activity*	*Reference*	*Body(ies)/ party(ies) responsible*	*Timeline*	*Composition*	*Funding source(s)*	*Procedures*
18.	(a) Full exemption of customs duties and other fees for importing materials for construction and development in Darfur;	Paragraph 126 (i)	GoS	D + 30 days onwards	GoS		Directives from the Ministry of Finance and National Economy to the Sudanese customs
	(b) The GoS shall bear custom duties as well as other duties and fees payable on materials imported for national development projects in Darfur and projects funded by the GoS or by way of loans	Paragraph 126 (ii)					
19.	Amendments in the Investment Promotion Law to provide greater incentives to make the investment more attractive to foreign and domestic firms in the States of Darfur	Paragraph 126 (iii)	GoS/ National Assembly	D + 180 days			
20.	Establishment of the FFAMC	Paragraph 152	GoS/ National Assembly	D + 180 days			Promulgation of law on the establishment of the FFAMC
21.	Appointment of a team of experts to be in charge of identifying the criteria governing the transfers from the National Revenue Fund to the States	Paragraph 152	FFAMC	D + 180 days			

Serial No.	Activity	Reference	Body(ies)/ party(ies) responsible	Timeline	Composition	Funding source(s)	Procedures
22.	The establishment of the DJAM, definition of its objectives and the preparation for launching its work	Paragraph 176	Parties/ Donors	D + 30 days	Parties/ Donors		Creation of the Core Coordinating group, definition of its functions and the Secretariat of the mission-based work and the provision of work assistance in both Khartoum and Darfur
23.	Launching the DJAM	Paragraph 177	GoS/WB/ ADB/DDB/ UN/DRA	D + 60 days	GoS/UN/ ADB/all countries and economic regional and international organizations	The commissions established to implement the actions of the DJAM	
24.	Preparation of the DJAM report with a view to assessing the needs of Darfur	Paragraph 180	DJAM	D + 120 days	GoS/UN/ ADB		The Secretariat shall prepare the final report of the work of the DJAM and submit it to the central coordinating group including development projects, the fight against poverty, economic recovery and their cost, and including the consent of the GoS to bear part of the total cost

Serial No.	*Activity*	*Reference*	*Body(ies)/ party(ies) responsible*	*Timeline*	*Composition*	*Funding source(s)*	*Procedures*
25.	Holding of the Donors' conference and establishment of a Multi-Donor Trust Fund and the Supervisory body of the DRDF	Paragraphs 176 & 178	WB/UN/ADB/ State of Qatar	D + 180 days		The donors	Inviting the IDB, AU, LAS, Arab funds, EU, US, Arab and Islamic countries and all other interested countries and organizations
26.	Restructuring the DRDF	Paragraph 139	The Parties	D + 60 days			
27.	Transfer of US$ 200,000,000 (two hundred million US dollars) to DRDF (Seed money).	Paragraph 142	GoS	D + 90 days			
28.	Transfer of US$ 300,000,000 (three hundred million US dollars) to DRDF (second payment)	Paragraph 142 (i)	GoS	D + 1 yr + 60 days			
29.	Transfer of US$ 300,000,000 (three hundred million US dollars) to DRDF (third payment)	Paragraph 142 (ii)	GoS	D + 2 yrs + 60 days			
30.	Transfer of US$ 300,000,000 (three hundred million US dollars) to DRDF (fourth payment)	Paragraph 142 (iii)	GoS	D + 3 yrs + 60 days			
31.	Transfer of US$ 400,000,000 (four hundred million US dollars) to DRDF (fifth payment)	Paragraph 142 (iv)	GoS	D + 4 yrs + 60 days			
32.	Transfer of US$ 500,000,000 (five hundred million US dollars) to DRDF (sixth payment)	Paragraph 142 (v)	GoS	D + 5 yrs + 60 days			

Serial No	Activity	Reference	Body(ies)/ party(ies) responsible	Timeline	Composition	Funding source(s)	Procedures
33.	Establishment of the MFS and development of its statute	Paragraph 130	Central Bank of Sudan, in consultation with the GoS and DRA	D + 60 days		The Parties with the participation of specialists in the field of microlending	Decision by the Central Bank
34.	First instalment of US$ 40,000,000 (forty million US dollars)	Paragraph 134	GoS	D + 90 days	GoS		To be paid to the MFS in Darfur
35.	Second instalment of US$ 30,000,000 (thirty million US dollars)	Paragraph 134	GoS	D + 1 yr + 90 days	GoS		To be paid to the MFS in Darfur
36.	Third instalment of US$ 30,000,000 (thirty million US dollars)	Paragraph 134	GoS	D + 2 yrs + 90 days	GoS		To be paid to the MFS in Darfur
37.	Capacity-building to the beneficiaries of the MFS	Paragraph 132	DRA & DSG	D + 120 days	GoS		
38.	First instalment of US$ 75,000,000 (seventy-five million US dollars) to support social services in Darfur States	Paragraph 138	GoS	In monthly instalments			To be paid to the States with the monthly support
39.	Second instalment of US$ 75,000,000 (seventy-five million US dollars)	Paragraph 138	GoS	In monthly instalments			To be paid to the States with the monthly support
40.	Third instalment of US$ 75,000,000 (seventy-five million US dollars)	Paragraph 138	GoS	In monthly instalments			To be paid to the States with the monthly support

Serial No.	*Activity*	*Reference*	*Body(ies)/ party(ies) responsible*	*Timeline*	*Composition*	*Funding source(s)*	*Procedures*
41.	Decision to spend the Zakat money collected in Darfur inside Darfur	Paragraph 150	Central Zakat Chamber Board	D + 30 days			Communication circulated from the Central Zakat Chamber Board to all Zakat offices in Darfur
42.	The Zakat Chamber shall provide the maximum possible necessary funding and implement the projects in favour of poor families, particularly returnees, IDPs and refugees	Paragraph 151	Central Zakat Chamber Board	D + 90 days			Decision of the Central Zakat Chamber Board
43.	Formulating policies and projects directed towards development of the traditional rain-fed agriculture	Paragraph 173	GoS/DRA	D + 30 onwards			
44.	Assessment and revitalization of feasible projects mentioned in paragraph 174	Paragraph 174	GoS/DRA/ donors	D + 1 yr	GoS		Composing a team of professional experts to conduct the studies necessary
45.	Working out and implementing an advanced and comprehensive capacity-building programme in the fields of public finance, fiscal federalism, including transparency in expenditures management		GoS/DRA/ donors	D + 30 days onwards	GoS		The GoS shall conclude contracts with specialized bodies from inside and outside Sudan to formulate the programme and elaborate its execution within the time frame specified

Serial No.	Activity	Reference	Body(ies)/ party(ies) responsible	Timeline	Composition	Funding source(s)	Procedures
46.	Conducting a comprehensive structural reform of universities in Darfur in terms of infrastructure and completion of its institutions to be enabled to undertake their mission	Paragraph 171 (v)	GoS	D + 30 days onwards	GoS		Financing the required reform under a plan presented by the Ministry of Higher Education and Scientific Research (in collaboration with the universities concerned in Darfur)
47.	Establishment of the DLC	Paragraph 196	GoS/ National Assembly	D + 180 days	GoS		By Presidential Decree
48.	Gradual amendment of laws to include the rights to the land and their uses in accordance with the customs, traditions and legacies in the ownership of land, the livestock routes and access to water sources. And enabling the people to register the land customarily owned by them as their own lands	Paragraphs 182 & 194	GoS/DRA/ DSG/The Legislatures	D + 120 days onwards			The GoS, the DRA and the State Governments shall prepare drafts for the amendment of the laws to be passed by the National Council, approved by the DRA Council, and adopted by the State Legislatures
49.	Restoration of the lands — which were granted under the investment laws and whose owners breached the conditions under which they were granted — to the status quo ante	Paragraph 183	DRA/DSG/ The Legislatures	D + 120 days onwards			
50.	Preparation of the plan of Darfur Land Use Mapping Database and its outcomes	Paragraph 197	DLC	D + 180 days onwards	DRA		

Serial No.	Activity	Reference	Body(ies)/ party(ies) responsible	Timeline	Composition	Funding source(s)	Procedures
51.	Adoption of recommendations and the plan of Darfur Land Use Mapping Database in the legislative bodies in Darfur States	Paragraph 197	DRA Council/ Darfur State Legislatures	D + 2 yrs	DRA & DSG		

C. Compensation and the return of IDPs & refugees

Serial No.	Activity	Reference	Body(ies) responsible	Timeline	Composition	Funding source(s)	Procedures
52.	Establishment of the VRRC and its two committees: VRC and PCRC as well as the JAF	Paragraph 25572	National Legislature	D + 45 days			Enactment of law
53.	Issuance of identification documents to IDPs and refugees	Article 46 paragraphs 235-237	GoS/ UNHCR	D + 90 days onwards		GoS	Based on the survey and needs assessment outcome
54.	Demine the areas of return and ensure IDPs and refugees access to their home lands and routes and access to public services	Paragraph 249 (iii)	GoS/ UNAMID in collaboration with relevant organizations	D + 1 yr		GoS/Donors (UNAMID)	
55.	Conduct statistical surveys of IDPs and refugees for the purpose of planning for voluntary return	Paragraph 257 (i)	GoS/DRA/ UNAMID with the assistance of UNHCR	D + 60 + 60 days		GoS/Donors	
56.	Conduct a comprehensive needs assessment in areas of potential return, to address the issues of basic services	Paragraph 257 (ii)	VRRC with the assistance of UNHCR	Once the VRRC is established	GoS/VRRC with the assistance of UNHCR	GoS/Donors	

D. Justice and reconciliation

Serial No.	*Activity*	*Reference*	*Body(ies) responsible*	*Timeline*	*Composition*	*Funding source(s)*	*Procedures*
57.	Strengthening the Justice sector by establishing additional courts, deploying additional judicial personnel and the provision of adequate resources for prosecution work in Darfur	Paragraph 296 (i) & (iii)	GoS	D + 90 days onwards		GoS	
58.	Granting general amnesty	Paragraph 329	The President of the Republic	D + 30 days			By Presidential Decree
59.	Establishment of the Truth, Justice and Reconciliation Commission	Paragraph 311	GoS/DRA	D + 90 days		GoS	By Presidential Decree
60.	Establishment of the Special Court for Darfur	Paragraph 322	GoS	D + 90 days		GoS	The National Judiciary
61.	Establishment of the Fund for Legal Aid	Paragraph 328	GoS with the assistance of the Donors	D + 90 days		GoS with the assistance of the Donors	
62.	Declaring a national day for peace and non-violence in Darfur	Paragraph 305	GoS	D + 30 days			By Presidential Decree
63.	Establishment of an independent, impartial, resourced and effective mechanism to identify and take appropriate action against individuals in the public service who have been proven guilty of committing abuses and violations of human rights and international humanitarian law	Paragraph 331	GoS	D + 90 days			

E. Permanent ceasefire and final security arrangements

Serial No.	*Activity*	*Reference*	*Body(ies) responsible*	*Timeline*	*Composition*	*Funding source(s)*	*Procedures*
64.	Parties to submit to the Mediation their forces dispositions, lists of all armed groups aligned with them	Paragraphs 381	Parties	Before D-Day			Required for the development of maps
65.	Parties to provide mine field locations to the Mediation		Parties	Before D-Day			Required for planning purpose
66.	Establishment of CFC at FHQ	Paragraph 342	UNAMID	Before D-Day	UNAMID FC-Chairperson; 3 members from each Party; State of Qatar	UNAMID/ international partners	
67.	Verification of Parties forces positions and strength	Paragraphs 393 & 394	CFC/ UNAMID	After D-Day and before phase 1			Party locations are to be held confidentially by Chairperson of CFC
68.	Establishment of Joint Commission	Paragraph 342	Mediation + UNAMID	D + 7 days	JSR/State of Qatar/Reps of Parties/LAS/ EU/UNAMID Political Affairs	UNAMID/ international partners	
69.	Release of child soldiers	Paragraphs 341 (viii) & 433 (iii)	Parties in cooperation with UNICEF	Before D-Day			To begin handing over child soldiers to UNICEF
70.	Establishment of Joint Logistics Coordination Committee (JLCC)	Paragraph 410	UNAMID	D + 5 days	UNAMID/ Parties/ Donors	Donors	
71.	Preparation for Phases I-III begins	Paragraphs 395-402	Parties	D + 7 days			

Serial No.	Activity	Reference	Body(ies) responsible	Timeline	Composition	Funding source(s)	Procedures
72.	Establishment of Darfur Security Arrangements Implementation Commission (DSAIC)	Paragraph 448	GoS/DRA	D + 60 days	Parties	GoS/DRA	
73.	Parties provide redeployment Plans for all phases of the Ceasefire to CFC	Paragraph 398	Parties	D + 14 days	UNAMID/ Parties		
74.	Production of final map indicating locations of Movements' forces, Areas of Control, Buffer Zones, Demilitarized Zones and Redeployment Areas	Paragraph 348 (v)	CFC	After verification			Details to be marked on the Master Map
75.	Development of patrol plan for monitoring the Buffer Zones	Paragraph 408	CFC	D + 7 days			
76.	Physical demarcation of respective Areas of Control, Buffer, Demilitarized Zones	Paragraph 391	UNAMID in collaboration with Parties	D + 37 days			
77.	Parties withdraw forces out of demilitarization/buffer zones into areas of control		Parties	D + 7 to D + 45 days			
78.	Re-establishment of the North Sudan DDR Commission	Paragraph 430	Parties	D + 45 days			
79.	Movements submit their logistics requirement to JLCC through UNAMID/CFC	Paragraph 409	Parties	D + 10 days			
80.	Establishment of Integration Technical Committee	Paragraph 449	DSAIC	D + 60 + 10 days			

Serial No	*Activity*	*Reference*	*Body(ies) responsible*	*Timeline*	*Composition*	*Funding source(s)*	*Procedures*
81.	Redeployment of the Parties' Forces	Paragraph 398 (ii)	UNAMID/ Parties				
82.	Distribution of non-military logistical support (NMLS) to the Movements	Paragraph 404 (iv)	JLCC	D + 30 days		GoS/ international partners	
83.	Formulation and Submission of DDR Plans to DSAIC	Paragraph 432	DDR Commission	D + 90 days			
84.	Formulation and submission of Integration of Former Combatant Plan	Paragraph 449	ITC	D + 90 days			
85.	Selection of assembly areas of Movements' Forces		CFC	Dependent on decision by CFC Chair			
86.	Submission of a plan for the disarmament of the militias, including measures and timelines for the disarmament of the militias before the integration phase	Paragraphs 399-401	GoS	D + 37 days			
87.	Assembly of the Movements' forces and storage of heavy weapons in selected assembly areas/sites		UNAMID	Done immediately or concurrently with deployment to assembly areas		(---)	
88.	Integration of Former Combatants into SAF and SPF	Paragraphs 442, 454-462	ITC/GoS	According to ITC's timetable			

Serial No	Activity	Reference	Body(ies) responsible	Timeline	Composition	Funding source(s)	Procedures
89.	Reform of some military institutions	Paragraph 463-464	GoS	D + 200 days			
90.	Disarmament, demobilization, and social/economic reintegration of the former combatants	Article 72 & 73	DDR Commission	D + 220 days			
91.	Development of Plan and strategy for civilian arms control	Paragraph 416	Parties/ UNDP/ UNAMID	After phase 3			

F. Internal dialogue and consultation and implementation modalities

Serial No.	Activity	Reference	Body(ies) responsible	Timeline	Composition	Funding source(s)	Procedures
92.	Development of DIDC mechanisms and modalities	Paragraph 473	UNAMID/ AU/State of Qatar	D + 30 days		Donors	
93.	Conduct of the DIDC	Paragraph 473	UNAMID/ AU/State of Qatar	D + 30 + 90 days		Donors	
94.	Establishment of the IFC	Paragraph 479	Mediation/ State of Qatar	Before D-Day	As in paragraph 479	Donors	